



MINUTES OF THE REGULAR BOARD MEETING OF AUGUST 22, 2023

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE MADERA CEMETERY DISTRICT, HELD TUESDAY, AUGUST 22, 2023 AT 5:30 P.M. 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
TRACY ISAAK – OFFICE TECHNICIAN
STEPHEN CLOETERS – H.R. SPECIALIST
LARRY MOORE – BERRY CONSTRUCTION

CALL TO ORDER:

Chairperson Candy Talley called the meeting to order at 5:30 p.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:

Trustee David Nemeth led the room in the Pledge of Allegiance.

PUBLIC COMMENT:

None

CONSENT CALENDAR:

A discussion was had on an expenditure to repair the well pump at North Fork Cemetery. The Property Tax Administration Fee charged by Madera County was less than the previous year. The next Board Meeting will be September 26, 2023. Trustee David Nemeth made a motion to approve the consent calendar, Trustee Belva Bare seconded, and all were in favor.

REPORT/DISCUSSION ON DISTRICT OFFICE:

Larry Moore of Berry Construction presented paint color options for the District office building currently under construction. He reported on the status of the air

conditioning units and stated that if PG&E cooperates, the building will be ready by the end of the year.

RECESS TO CLOSED SESSION:

Chairperson Candy Talley asked for a closed session.

RECONVENE TO OPEN SESSION - REPORT OF ANY ACTION TAKEN:

Chair Candy Talley reported that no action had been taken in closed session.

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

Operations Manager Ronnie Ramirez reported on an underground water leak underneath the old shop at Arbor Vitae. It was a pipe that no one knew was under the building and he would like to cap it to prevent future leaks under the shop.

REPORT/DISCUSSION ON DISTRICT OFFICE, CALVARY & ARBOR VITAE

SOLAR, PLOTBOX CEMETERY MAPPING, AND ELECTRIC VEHICLES

PROJECTS:

The Board was shown some furniture ideas for the new office and they expressed their opinions. Much of the furniture currently being used will be used in the private offices of the new building. Trustees Betty and Voyles gave suggestions of local furniture vendors.

The solar installation at Calvary Cemetery is operational, but credits for power produced have still not shown up on the utility bill. PG&E said in a letter that it could take three months or more for credits to show, but that no credits would be lost. GreenDay Finance, the solar company, did not submit their application to PG&E for the Arbor Vitae system before the Net Energy Metering 2.0 program expired. They have proposed to the District a revised plan which changes the kWh output and lowers the monthly cost to the District from \$2,003 to \$1,361. District Manager Arthur Gardner stated he had looked over the contract and had contacted an attorney. Chair Candy Talley and Trustee David Nemeth both stated that Gardner should press them to uphold the agreement.

PlotBox's plan is to go live in October.

The electric cart for Arbor Vitae is scheduled for delivery on October 6. This would mean it's available to use at Calvary for the planned *Dia de Muertos* activities.

District Manager Arthur Gardner reported he'd met with Madera County Arts Council and that they are interested in providing artwork for the new District office. They want to list the arts council and the artists' names on each piece of art and offer them for sale.

REPORT/DISCUSSION ON PCA MEETING AUGUST 10-11 AND CAPC MEETING

OCTOBER 5-7, 2023:

District Manager Arthur Gardner reported on the Public Cemetery Alliance conference he attended in Grass Valley on August 10th and 11th. Mark Marshall led a discussion on Emergency Action Plans and Bob Hunt did an excellent job discussing

the Health & Safety Code. Mr. Hunt said that the county treasurer should not charge cemetery districts for handling inbound and outbound monies of the District. The Board directed him to look into this further. Trustee Belva Bare suggested he speak with other cemetery districts to see if they pay, and to talk with an attorney.

REPORT/DISCUSSION/DECISION ON POLICY CHANGE ON PLOTS, FAMILY PLOTS, AND RIGHTS OF SUCCESSION OF INTERMENT RIGHTS:

The Health & Safety Code says that the person who owns the burial rights to a plot directs whom can be buried in the plot. Human Resources Generalist Stephen Cloeters explained the situation of a family who has requested to bury their son's ashes in his grandfather's plot, which current District policy does not allow. DM Arthur Gardner said he'd spoken with Bob Hunt at the PCA meeting regarding this question and Mr. Hunt had said the District can manage things as it sees fit and can have more restrictive rules than the Health & Safety Code lays out. Trustee Belva Bare shared that the District's rules currently only allow parent-child burials when an urn is to be placed under a headstone because people were trying to bury cremains in a family member's plot just to save money.

DM Arthur Gardner suggested broadening the scope of family members who can be buried in a plot to include grandchildren, siblings, step-siblings, aunts and uncles. A discussion followed on how the number of cremation burials is increasing and the impact this will have on the District. Ground space would be saved by allowing a broader scope of family members in a plot, but at the cost of lower revenue. Trustee Lois Betty suggested the District could charge endowment care for every burial in a plot, rather than just charging it once. The Board directed that this should be discussed further.

REPORT/DISCUSSION/DECISION ON ALLOWING THE PLACEMENT OF A VETERANS ADMINISTRATION PLAQUE:

District policy states that urns placed under headstones are to be marked with a 4x8 bronze plaque. This is because only a 4x8 plaque will fit in most sections of the cemetery. A family had requested permission to place a larger plaque from the Veterans Administration on a headstone in Block 6 at Arbor Vitae. The Board was shown that a VA plaque has already been set on the headstone for another family member. DM Arthur Gardner said that it would look better from an aesthetic standpoint to allow another VA plaque rather than to require the smaller plaque. The Board agreed and directed to allow for the VA plaque.

REPORT/DISCUSSION/DECISION ON RESOLUTION TO INCREASE THE CAP ON THE DISTRICT'S CONTRIBUTION TOWARDS EMPLOYEE HEALTH INSURANCE:

A resolution was presented to the Board as follows:

RESOLUTION NO. 145

RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION FOR EMPLOYEE HEALTH BENEFITS FOR 2024

- WHEREAS, (1) Government Code Section 22892(a) provides that a local agency contracting under the Public Employee's Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) (1) of the Act, and
- WHEREAS, (2) Madera Cemetery District is a local agency contracting under the Act; now, therefore be it
- RESOLVED, (a) That the employer's contribution for each employee shall be the amount necessary to pay the cost of his/her enrollment in a health benefit plan, up to a maximum of \$905.00 per month, plus administrative fees and Contingency Reserve Fund Assessments, to take effect on the 1st of January, 2024.

Trustee David Nemeth moved to approve the resolution establishing the District's contribution to employee health benefits for calendar year 2024. Trustee Belva Bare seconded the motion and all were in favor: Candy Talley, aye; David Nemeth, aye; Belva Bare, aye; Lois Betty, aye; and Celeste Voyles, aye.

REPORT/DISCUSSION/DECISION ON OFFERING STAFF THE OPTION TO OPT OUT OF HEALTH BENEFITS:

HR Generalist Stephen Cloeters reported that almost every county or city has an option for employees to opt out of health benefits. If the District chooses to offer this, it could structure it as it likes. The District could pay employees who opt out of health benefits in the form of either cash compensation or it could pay into a 457 plan. This compensation-in-lieu-of-benefits would not count towards the PERS pension. Trustee David Nemeth suggested offering \$300 to every employee who opts out of the District's health insurance and provides proof of coverage elsewhere, with the payment going into a 457 retirement plan or paid as non-PERSable, taxable income. This item will be on the September agenda for a vote.

REPORT/DISCUSSION/DECISION ON MOVING TRUSTEES FROM 1099'S TO W-2'S:

The idea of moving the Board members from 1099 status to W-2's was briefly discussed. Trustee David Nemeth stated that he would prefer to stay with 1099's to avoid having to pay into Social Security and because the trustees are not technically employees. There was no further discussion.

REPORT/DISCUSSION ON CEMETERY SECURITY REPORT:

District Manager Arthur Gardner stated that Gatekeeper Ruben Guerra is doing a good job. Ruben has received mild threats from a man who did not want to comply with the rules. Gardner has spoken with the Madera County Sheriff's Office and they said to call if Ruben needs help with difficult people.

REPORT/DISCUSSION/DECISIONS ON INVESTEMENTS FOR E.C. & PRE-NEED FUNDS WITH SANDRA WHEELER:

Trustee David Nemeth said there was nothing to report.

ADJOURNMENT: 8:00 p.m.