



MINUTES

OF THE **REGULAR BOARD MEETING** OF THE **BOARD OF TRUSTEES**

OF THE **MADERA CEMETERY DISTRICT**

TUESDAY, OCTOBER 28, 2025, 2:30 p.m.

1301 ROBERTS AVE., MADERA, CA 93637

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE MADERA CEMETERY DISTRICT, HELD TUESDAY, OCTOBER 28, 2025, AT 2:30 P.M. AT THE DISTRICT OFFICE BUILDING IN ARBOR VITAE CEMETERY, LOCATED AT 1301 ROBERTS AVE., MADERA, CA 93637

TRUSTEES PRESENT:

LOIS BETTY
BELVA BARE
DAVID NEMETH
CANDY TALLEY
MIKE FRANKLIN

PUBLIC/EMPLOYEES PRESENT:

ARTHUR GARDNER - DISTRICT MANAGER
RONNIE RAMIREZ – OPERATIONS MANAGER
TRACY ISAAK – OFFICE TECHNICIAN
STEPHEN CLOETERS – H.R. GENERALIST
ROBERT ELLIS - FOREMAN

CALL TO ORDER:

Chairperson Lois Betty called the meeting to order at 2:30 p.m.

ROLL CALL OF BOARD:

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

PLEDGE TO THE FLAG:

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

CHANGES TO THE AGENDA:

None

PUBLIC COMMENT ON ANY AGENDA ITEM:

None

CONSENT CALENDAR:

Trustee Belva Bare asked questions about a few checks in the check register and about two refunds issued to the same person. The person held interment rights to two separate plots.

Chairperson Lois Betty informed the Board she would not be present at the November 25, 2025 Regular Meeting of the Board.

Trustee Candy Talley made a motion to approve the consent calendar, Trustee Belva Bare seconded, and all voted in favor.

CORRESPONDENCE:

None.

ANNOUNCEMENTS:

District Manager Arthur Gardner asked that the agenda item with Sandra Wheeler from Stifel be moved up before the closed session. He said he was having some technical issues with the Zoom connection and asked if it would be okay to bring her into the meeting by phone. The problem was then resolved.

PRESENTATION BY SANDRA WHEELER OF STIFEL REGARDING MARKET TRENDS AND MCD'S INVESTMENTS:

Sandra Wheeler of Stifel Investments, via Zoom, reviewed the latest on the investment markets. Short term rates are coming down. The District is benefitting from some of the longer-term investments made when returns were higher. She reviewed the District's portfolio and fielded questions from those in attendance.

The Board thanked her for her time and information.

RECESS TO CLOSED SESSION:

Chairperson Lois Betty asked for a closed session.

RECONVENE TO OPEN SESSION - REPORT OF ANY ACTION TAKEN:

Chairperson Lois Betty said no action was taken in closed session.

DISCUSSION/REPORT IF NEEDED ON OPERATIONS OF MCD CEMETERIES:

Operations Manager Ronnie Ramirez reported that the tire spikes for the Calvary exit gate are on backorder. Arbor Vitae's roads will be ground up and re-laid this year and will be resealed in 2026.

Patterson Painting has finished painting the exterior of the Calvary mausoleums.

Mr. Ramirez asked for input from the Board and what to do with the front drive at Calvary Cemetery. The trees have been removed, which leaves the question of if/how they'll be replaced. The tree decision will impact the action taken to replace the front drive and how to reset headstones that have been disturbed by tree roots.

Trustee Belva Bare suggested the Trustees go to Calvary to take a look at the situation to help in the planning. Chairperson Lois Betty said it looked pretty before when the trees were there and now there's nothing. Landscaping and trees can be added to the budget if needed..

REPORT/DISCUSSION OF ACTION ITEMS FROM PREVIOUS BOARD MEETING:

District Manager Arthur Gardner said all the follow-up items are included in the agenda.

REPORT/DISCUSSION/DECISION ON CANCELATION OF CONTRACTS IN DEFAULT:

There was nothing to report.

REPORT/DISCUSSION ON CAPC CONFERENCE HELD OCTOBER 10-11 IN VENTURA:

There was agreement among the attendees that the conference was good. Trustee Mike Franklin commented that he sensed that MCD was respected. Chairperson Lois Betty said she learned that MCD is allowed to buy property outside of its boundaries, so long as the land is within the District's sphere of influence.

District Manager Arthur Gardner discussed the presentation given on interment right successor ownership. The presenter put forward a novel concept that if the owner of an interment right does not name a successor owner, or if the right falls to the successor owner after the purchaser's death and that successor does not name a successor, the interment right is revoked upon the death of the successor owner and reverts back to the District. In theory, this eliminates having to go through the process of reclaiming abandoned plots. Gardner sought out the opinions of attorneys Bob Hunt and Mark Velasquez on the idea and they did not like it. Gardner pointed out that even if a successor owner is named, the District has no way of knowing if that successor owner is alive or dead. It's very likely that the successor owner could be alive fifty years after the plot was purchased, the District reclaims the plot, and then the owner discovers that their plot is no longer theirs. Gardner said he would not endorse the District implementing this policy.

REPORT/DISCUSSION ON MEETING WITH VISALIA PCD AND MANAGER'S ROUNDTABLE IN FEBRUARY:

District Manager Arthur Gardner met with the district manager Domingo Lopez and his office staff with Visalia Public Cemetery District. They talked for several hours about a variety of topics and decided to plan a manager's roundtable on February 18, 2026. MCD will host it and managers from throughout the Central Valley will be invited. MCD will provide lunch.

REPORT/DISCUSSION ON ROBERT HUNT ARTICLE IN CAPC NEWSLETTER REGARDING PRENEED FUNDS AND INTERMENT RIGHTS:

The Trustees had reviewed an article written by Attorney Bob Hunt for the newsletter published by the California Association of Public Cemeteries. In it, Mr. Hunt presented some ideas on the nature of interment rights that differed significantly

from MCD's understanding, including that rights can have an expiration date and that a district could charge for interment rights for each burial rather than for each plot.

Chairperson Lois Betty put forward the idea of MCD not offering preneed contracts anymore or requiring payment in full at the time of purchase. Trustee Belva Bare stated that we are here to accommodate the public and allowing payments on preneed contracts is part of that service. Some customers are late but many are faithful payers.

District Manager Arthur Gardner said the Board could discuss primary and secondary interment rights in the next board meeting. Trustees Belva Bare and Candy Talley expressed their disapproval of charging multiple interment rights. Chairperson Lois Betty asked Gardner to present figures on potential revenue in next month's meeting. He will also present a policy for handling the transfer of preneed funds.

REPORT/DISCUSSION/DECISION ON BEAUTIFICATION OF RAYMOND CEMETERY:

Trustee Mike Franklin updated the Board on the progress of his talks with members of the Raymond community. He presented his ideas of potential improvements, including replacing the front fence, a mesh on the fence to impede the entrance of critters, some leveling of the grounds, leveling leaning headstones, and planting some new trees, among others.

A meeting with interested residents of Raymond is scheduled in Raymond for November 7. Mr. Franklin will present his ideas and get feedback and ideas from the community. HR Generalist Stephen Cloeters advised that only two trustees should attend the meeting in order to avoid forming a quorum.

Chairperson Lois Betty asked how these improvements would be funded. Monies would be used from the general fund.

Trustee David Nemeth made a motion for preliminary approval of \$12,000 for the Raymond project, with a potential revision to be put forward for final approval after the Raymond Town Hall Meeting, Trustee Candy Talley seconded the motion, and all voted in favor.

REPORT/DISCUSSION ON SB707:

District Manager Arthur Gardner said this new law does not go into effect until July, 2026. Many of the new requirements it imposes do not apply to MCD because the District is not large enough. Gardner asked to table further discussion until the next board meeting in the interest of time.

REPORT/DISCUSSION ON MCD WEBSITE ACCESSIBILITY:

The website development company Streamline did a presentation at the October CAPC conference regarding website compliance with the ADA. Streamline routinely sends a report to MCD that summarizes its compliance with the act. MCD got 91 of

100 points in the latest assessment. Streamlines states that anything less than 100 exposes MCD to potential lawsuits.

Trustee David Nemeth stated that if a district can show that it's making gradual improvements towards 100% compliance, that helps defend it against legal action. Maybe working on one element at a time would be less expensive, perhaps one step every six months.

District Manager Arthur Gardner said he would contact the vendor who is currently maintaining the District's website and that he could reach out to Streamline for an updated quote. Trustee Candy Talley suggested he try to find a college student who is looking for a senior project in IT.

REPORT/DISCUSSION/DECISION ON POLICY LIMITING UPRIGHT HEADSTONE HEIGHT:

District Manager Arthur Gardner said that the current height limit for upright headstones is 60", which he thinks is too high. There is a concern that headstones that are tall and thin are a liability because of the risk of falling over. Gardner said he and Operations Manager Ronnie Ramirez had been discussing the idea of opening future blocks the two rows of upright headstones next to each other. If a backhoe had to dig a grave with the backhoe on one side of an upright headstone and the hole on the other, 36" would be the maximum height that would be relatively safe to dig over.

Gardner proposed a policy change setting 36" as the maximum height for an upright headstone. Trustee David Nemeth made a motion to set the maximum height for an upright headstone at 36", Trustee Mike Franklin seconded the motion, and a poll of the board resulted in a unanimous vote: Chairperson Lois Betty, aye; Vice Chair Belva Bare, aye; Trustee David Nemeth, aye; Trustee Candy Talley, aye; and Trustee Mike Franklin, aye.

A formal policy will be presented at the next Regular Meeting of the Board.

REPORT/DISCUSSION/DECISION ON ALLOWING MEMORIAL INSCRIPTIONS AND VASES ON THE SIDES OF NICHE:

District Manager Arthur Gardner asked the Board's opinion on the idea of allowing people to have names engraved on the sides niche structures for memorials. There was no opposition, so Trustee Candy Talley moved to allow memorials on the sides of the niches, Trustee Belva Bare seconded the motion, and all voted in favor: Chairperson Lois Betty, aye; Vice Chair Belva Bare, aye; Trustee David Nemeth, aye; Trustee Candy Talley, aye; and Trustee Mike Franklin, aye.

Family members of a person inurned in the corner glass niches at Calvary have inquired whether they could place vases in the marble strip between their niches and the mausoleum crypts. The family said they would be willing to pay for them. Trustee Belva Bare asked for this to be placed on the November agenda and asked for pictures so the Board could better understand the situation.

REPORT/DISCUSSION/DECISION ON ENDOWMENT CARE CHARGES WHEN TRANSFERRING PLOTS:

District Manager Arthur Gardner asked whether MCD should allow Endowment Care to transfer from one plot to another when people transfer their interment rights. Another option would be to charge the difference between the original amount paid for EC and the current charge in cases where the Endowment Care has gone up since the time of the original purchase. The Board agreed that Endowment Care should simply be transferred over to the new plot, unless the purchaser has moved up to a more expensive type of burial.

Gardner is to present a policy for the Board's review and approval in November.

REPORT/DISCUSSION ON NEXT NICHE PROJECT AT ARBOR VITAE CEMETERY AND BEAUTIFICATION OF MAUSOLEUMS C&D:

District Manager Arthur Gardner met with metal sculptor Steven King to discuss the proposed sculpture for the west side of Mausoleums C and D at Arbor Vitae.

Gardner then presented to the Board three proposals received for the construction of niche banks on the east side of the mausoleums. Rico's Memorial Stones, Gonzalez Engraved Memorials, and Columbarium USA were the vendors that gave proposals.

Gardner talked about a recurring motif of trees at Arbor Vitae and grapes at Calvary as future projects are developed. This would help create a unifying theme.

The idea of a raised-bed urn garden and urn chambers were also brought up. These could be installed at all cemeteries and would help provide different price points for people to choose from.

REPORT/DISCUSSION ON PG&E BILLS & CALVARY SOLAR SITUATION:

No updates to report.

REPORT/DISCUSSION/DECISION ON 2026 LEASE AGREEMENT WITH D&D AG SERVICES, LLC:

Following a brief discussion, it was decided that this item should be on the November agenda and Dennis Meisner should be invited to attend so he can propose a dollar amount for the lease.

REPORT/DISCUSSION/DECISION ON EAGLE STATUE ON TOP OF ARBOR VITAE'S VETERANS MEMORIAL:

Trustee Belva Bare had suggested a statue of an eagle be placed on top of the veterans memorial at Arbor Vitae. District Manager Arthur Gardner presented a picture of his preference for the statue.

Ms. Bare said it didn't have to be an eagle, but the monument would look better and catch the eye with something on top of it. Chairperson Lois Betty suggested a base with different flags. A kneeling soldier was also suggested.

Some ideas should be put together for the next year's budget.

REPORT/DISCUSSION ON COUNTRY CLUB AGREEMENT WITH CHOWCHILLA CEMETERY DISTRICT:

Chowchilla Cemetery District approved and signed the formal agreement that allows residents of the Country Club area to be interred in an MCD cemetery without paying a non-resident fee. Chairperson Lois Betty put her signature on the document.

REPORT/DISCUSSION ON CEMETERY SECURITY:

For the Día de Muertos observance, Operations Manager Ronnie Ramirez ordered a large roll-off dumpster to help handle the large amount of flowers and trash generated. Four groundskeepers will be working November 2nd to assist and accommodate the public. These hours will be overtime pay. Both of the District's electric passenger carts will be on hand to transport people from the gates to their destinations inside the cemetery. The grounds will again be closed to vehicle traffic for safety reasons.

A body cam has been ordered for gatekeeper Ruben Guerra to use. He will be trained in the proper way to approach people and how to handle people who do not comply with rules.

REPORT/DISCUSSION/DECISIONS ON INVESTEMENTS FOR ENDWOMENT CARE & PRE-NEED FUNDS:

Trustee David Nemeth reported the District had \$966k in Preneed, \$158k in Endowment principal, and \$90k in Endowment interest available to invest.

Preneed funds were invested in Huntington Bank, Brookfield Fin, a Bank of America CD, Broadcom Corp.

Endowment principal was invested in US Treasury Notes.

Endowment interest was invested in American Honda.

REPORT/DISCUSSION ON AGENDA ITEMS FOR NEXT MONTH'S BOARD MEETING:

All items for next month had already been noted.

ADJOURNMENT: 6:43 p.m.