

Kern River Valley Public Cemetery District
Minutes of the Regular Board of Trustees Meeting – Tuesday, July 9th, 2024 @ 1:00 PM

KERN RIVER VALLEY PUBLIC CEMETERY DISTRICT
MINUTES OF THE REGULAR BOARD OF TRUSTEES MEETING
Tuesday July 9th, 2024 @ 1:00 PM
District Office: 8441 Burlando Road Wofford Heights, CA 93285 County of Kern

Present: Harry Schustz, Chairperson/President, Board of Trustees
Kathy Agapiou, Vice Chair/Vice President, Board of Trustees
Esteban Olivares, Member, Board of Trustees
Michael Ryan, Member, Board of Trustees
Orion Sanders, District Manager
Tamela Ashlock, District Secretary/Clerk
John Blythe, District Administrative Assistant
Reno Shadden, Groundskeeper
(One seat on the Board of Trustees is vacant.)

Absent: Danny Brown, District Management Consultant

- A. CALL TO ORDER: Meeting was called to order by Chairperson Schustz at 1:00 PM
- B. ROLL CALL ROLL CALL – QUORUM PRESENT (4 Trustees Present; 1 Seat is Vacant)
- C. PLEDGE OF ALLEGIANCE AND INVOCATION: Chairperson Schustz gave the Pledge of Allegiance and Invocation.
- D. PUBLIC COMMENT, REQUESTS AND PRESENTATIONS: There were four members of the public, two of which were from the news media at this meeting. The following gave public comments:

Catherine Stachowiak: Reporter from the Kern Valley Sun

Bill Becker: Reporter from Kern River Radio

Jennifer Wagner: Welcomed the new district management team. Inquired about the district's Bylaws and if they are available to the public. Assistant Blythe responded that the district has had no existing bylaws, however he indicated when he was on the board of trustees, he felt the district needed bylaws, but the board is governed by the California Health and Safety Code as well as the district's Board Policies and Procedures. Mr. Blythe would be happy to furnish her a copy of those via email. Ms. Wagner also inquired about CemSites as new cemetery software was part of the capital outlay of this year's budget. District Manager Sanders responded he was impressed with CemSites and that he and Secretary Ashlock participated in a demo presentation before today's board meeting. Ms. Wagner also inquired about progress being made regarding the Grand Jury's recommendation list. Manager Sanders reported he will touch base on this during his report.

Jerry Moffatt: He presented a letter to the board of trustees from former District Secretary Laura Kyt to be included in the minutes (see addendum #1). Mr. Moffatt said that he recently talked to Mike Dodds and he has a friend out of Atlanta Georgia that specializes in water purification treatment and would like to donate new water purification system equipment to the district for free as an act of good will to show how it works. This water system can help eliminate problems such as lime and calcium build up which the district and other parts of the valley have problems

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with. District Sanders reports he is working on the water issue and finding solutions, but is not opposed to exploring this and will talk to Mr. Moffatt more in detail about this.

E. CONSENT AGENDA:

Backlog of Past Board Meeting Minutes:

1. Regular Board Meeting Minutes – May 12th, 2020
2. Special Board Meeting Minutes – June 18th, 2020
3. Regular Board Meeting Minutes – July 14th, 2020
4. Regular Board Meeting Minutes – August 4th, 2020
5. Regular Board Meeting Minutes – September 8th, 2020
6. Regular Board Meeting Minutes – November 19th, 2020
7. Regular Board Meeting Minutes – January 12th, 2021
8. Regular Board Meeting Minutes – February 10th, 2021
9. Regular Board Meeting Minutes – March 9th, 2021
10. Regular Board Meeting Minutes – May 11th, 2021
11. Regular Board Meeting Minutes – June 1st, 2021
12. Special Board Meeting Minutes – June 15th, 2021
13. Regular Board Meeting Minutes – July 13th, 2021
14. Regular Board Meeting Minutes – July 27th, 2021
15. Regular Board Meeting Minutes – September 14th, 2021
16. Regular Board Meeting Minutes – November 9th, 2021

Recent Board Meeting Minutes:

1. Regular Board Meeting Minutes – June 11th, 2024
2. Special Board Meeting Minutes – June 17th, 2024
3. Special Board Meeting Minutes – June 21st, 2024

Motion to approve consent agenda items by Trustee Ryan; second by Trustee Olivares and passed.

F. MANAGER’S REPORT: Orion Sanders, District Manager

Manager Sanders reports that he is the new District Manager and formally introduced District Secretary Tammy Ashlock and Groundskeeper Reno Shadden as his new team. Manager Sanders reports that in past several weeks he has been making it a priority to the recommended items taken off the Grand Jury’s recommendations list including the delinquent audits being addressed and progress being made to bring those current, backlog of minutes completed and properly organizing and cleaning out the administrative office which includes three work desk stations in the main room and in the second room is the conference room for today’s board meeting. Manager Sanders reports that he and Secretary Ashlock had a demo presentation earlier this morning before the board meeting with CemSites that the previous district management had been looking into since 2023. Manager Sanders reports he was impressed with CemSites and feels it would help propel the district into the 21st century technology especially with proper digitized mapping instead of the outdated archaic mapping layout that presently exists. He would like to get the official price to include in a revised budget for next month’s board meeting in August. Manager Sanders also talked about the need for updated office computers and potentially internet speeds which he is investigating. Manager Sanders also reports on the water issues and discovered several issues. Rick Gonzales from Piute Pump came out to the district and discovered the well was not shutting off properly and there had been iron and algae deposit build up in the pipes. Piute Pump advised treatments for the iron and algae and properly addressed the pump not turning off correctly as well as replacing a bad float system. The wells now appear to be holding water correctly and turn off on their own. Manger Sanders reports Mr. Gonzales says there should

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be enough water in the tanks to water the entire grounds and service the administrative office building, and it appears that these solutions are working as areas on the district's grounds are now getting water. Manager Sanders also reports Groundskeeper Shadden discovered several broken or defunct sprinklers on the ground that had not been addressed and those have since been fixed. Regarding Jerry Moffatt's public comment on the water purification system, Manager Sanders is not opposed to it, but would like to investigate the particulars and make sure the district has permission from the US Forest Service for using the water from their land as well. Manager Sanders also reports he is making progress on addressing the tractors and Polaris vehicles that need maintenance work and equipment such as weed-eaters etc. that are no longer working. The district's old utility truck that had been on former management's property was delivered to the district two weeks ago and Manager Sanders will look at having it removed off the property. The district's storage for additional excess property has also been cleaned out for office equipment such as desk, office furniture, chairs, etc.

G. SECRETARY'S REPORT: Tamela Ashlock, District Secretary

Secretary Ashlock reports that she is happy to serve as the new District Secretary/Clerk and welcomes the public to attend the meetings in the newly revamped district conference room.

H. MANAGER CONSULTANT REPORT: Danny Brown, Consultant

Mr. Brown was not present at today's meeting, however as per Manager Sanders, Mr. Brown as well as Tim Unruh and Joel Bauer will be making arrangements to do an on-site visit at the district in the coming weeks to complete additional consulting work.

I. ADMINISTRATIVE UPDATE: John Blythe, District Administrative Assistant

Assistant Blythe reports fiscal year 2016-17 has been wrapped up by financial account David Bruner and is off to the auditor Kevin Brejnak. Fiscal Years 2017-18 and 2018-19 will get reconciled by Accountant Bruner in the coming weeks and prepare them for audit as well. Assistant Blythe reports the backlog of minutes for 2020 and 2021 were completed. He reports he used what he had available to work with based on the old agendas and notes that were available as well as additional old files and agendas from current and former Trustees of these two years. These minutes were completed and on the consent agenda at today's meeting and will be available to the public. Secretary Ashlock is working on minutes for 2022 and 2023 and will have those ready on the consent agenda for the August board meeting. Assistant Blythe also reports that work needs to be done with the district's website and bios are required for the Trustees. Assistant Blythe and Manager Sanders also expressed the need for new email addresses. Assistant Blythe also reminded Trustees Agapiou and Ryan to get their AB 1234 Ethics Training current.

J. FINANCIAL UPDATE TO BOARD: David Bruner, Financial Accountant

Accountant Bruner was unable to attend the meeting over the phone, however Assistant Blythe reports that he will be making arrangements to return to the district the week of July 21st to continue with preparing fiscal year 2017-18 and fiscal year 2018-19 for auditor Kevin Brejnak.

K. NEW BUSINESS:

1. Consider forming new Board Officers (Secretary and Treasurer):

Manager Sanders feels the board would have more proper oversight and accountability if the board had a designated Trustee as Secretary and a designated Trustee as Treasurer as most governmental boards have these two positions to ensure minutes and records are being properly maintained for transparency purposes and to make sure there is proper oversight over management doing its job. Additionally, the Treasurer position would be a position to

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also have oversight over the district's finances and audit and to also make sure management is getting those done as well. Discussion among the board concurred to explore the idea. Trustee Agapiou shares that in addition to the ethics training and the district's policies and procedures, she feels there should be more information available to individuals serving on a public board and a more detailed orientation from CSDA or the County. Assistant Blythe recommended at that point, it might be a good idea for the district board to adopt bylaws and CSDA has resources in this area. Assistant Blythe also cautioned that if the board elects to establish these two new designated positions, they would have oversight over these areas, but would not be completing the actual tasks as it is against Government Code for an elected or appointed public official to complete the work of a public employee of the district. If the board moves forward on these two new board positions, they can make it interim for the rest of the year and then include it in the annual January board meeting election when the board elects a new Board Chairperson/President and Vice Chairperson/Vice President.

2. Consider Termination of Cemetery Software – Intera:
Manager Sanders reports that the Intera Cemetery Software the district has been using is outdated and he cannot locate any of the software files on any of the computers, but the district has still been paying annual fees and recommends the board terminate and sever its relationship with Intera.
Motion was by Trustee Olivares to terminate the district's relationship with Intera and was seconded by Trustee Ryan and passed.
3. Revised Engagement Letter with Auditor Kevin Brejnak: Assistant Blythe reports Auditor Kevin Brejnak sent over a revised letter to include Fiscal Year 2023-24 to the list of audits that need to be completed.
Motion was made by Trustee Ryan to accept Auditor Kevin Brejnak's engagement letter to complete services; second by Trustee Agapiou and passed.
4. Authorize 2023-24 FYE Financial Transfers and Recoupments: Motion was made by Trustee Ryan to authorize any 2023-24 FYE Financial Transfers and Recoupments; second by Trustee Olivares and passed.

L. OLD BUSINESS:

1. Fiscal Year Budget 2024-2025: Orion Sanders, District Manager
At the May 14th board of trustees meeting, the board adopted the Fiscal Year 2024-25 baseline budget that was prepared by former management. Manager Sanders indicates that he would like to see the budget more in detail and has his own input on areas and where money could potentially be saved and requests to reapprove the Fiscal Year Budget 2024-2025 for the August meeting after he has had some time to offer his input.
Motion was made by Trustee Ryan to table Fiscal Year Budget 2024-2025; second by Trustee Olivares and passed.
2. Cemetery Software – CemSites: Orion Sanders, District Manager
Manager Sanders reports he and Secretary Ashlock participated in the demo presentation earlier this morning before the board meeting. After reviewing the budget, he would like to add the specific cost to the capital outlay budget and ask the board to consider approving that for adoption potentially at the August board meeting.
Motion was made by Trustee Olivares to table approving Cemetery Software CemSites; second by Trustee Agapiou and passed.

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M. BOARD MEMBER ANNOUNCEMENTS OR REPORTS NOT APPEARING ON THE AGENDA:

Trustee Agapiou: No comments.

Trustee Olivares: States that he has seen more positive developments moving forward in the last month, than he has seen since he first joined the board of trustees of the district several years ago from progress being made with the audits and backlog of minutes and the water and grounds issues. He gives compliments to the staff and welcomes Orion, Tammy and Reno to the district.

Trustee Ryan: Is satisfied with Manager Sanders report regarding the water and feels that it is promising news and is also happy to hear that one delinquent fiscal year (16-17) is now off to the auditor and that fiscal years 17-18 and potentially 18-19 are getting tackled and ready to the auditor by the end of the month. He shares concerns that accountant Bruner and auditor Brejnak have made that if these audits were not brought current the State could have come in at any time and shut the district down which would have made the recent situation even more troubling, so now this is showing positive developments. He is also happy to hear the backlog of minutes getting completed and are available to the public and shows transparency. Like Trustee Olivares, he feels more work has taken place in the last month than in the last several years particularly with getting the district back in compliance.

Chairperson Schustz: Echoes the sentiments of his fellow trustees that a great deal of progress has been made and thanks Orion, Tammy, John and Reno in their respective roles and making this a team effort to accomplish the tasks that need to be done.

N. NEXT REGULARLY SCHEDULED MEETING: Tuesday August 13th, 2024 at 1:00 PM

O. MOTION TO ADJOURN: Trustee Olivares moved to adjourn the meeting at 2:20PM and was seconded by Trustee Ryan and passed.

Respectfully submitted by
John Blythe

John Blythe
Administrative Assistant

Addendum:

1. Letter Submitted to Board of Trustees from Laura Kyt

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Dear Board of Trustees,

This letter is sent to address the minutes of June 11, 2024 specifically on page 3 where in the Administrative Update John Blythe writes in the official record of the district and I quote, “Mr. Blythe also addressed areas of misinformation in last week’s edition of the Kern Valley Sun (6-5-24). He will refer to Mr. Brown if there have been any improprieties of monies collected/expensed from services between the district and the local mortuary.”

I have read the June 5th publication of the Kern Valley Sun and there was no mention of improprieties in any article on that date. Therefore, this is a misleading or should I say misinformation statement to be included in the official record of the Kern River Valley Cemetery District. The sentence underlined above that was inserted in the statements of the administrative assistant John Blythe should be struck from the official record.

When words are intended to cause harm to another or a local business there should be some oversight to protect the public from misleading information. There should also be some proof of the impropriety.

I ask that the Board of Trustees censor Mr. Blythe from writing statements that could cause the public to assume that there is impropriety between the district and the local mortuary when there is no such proof and you will never find any such proof of impropriety. Please set the record straight.

I request and expect that this letter become part of the district minutes as my public comment for today’s meeting.

Kindest regards,

Laura Kyt

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