

MEETING AGENDA

BOARD OF TRUSTEES - KERN RIVER VALLEY PUBLIC CEMETERY DISTRICT

8441 Burlando Road
P.O. Box 215
Wofford Heights, CA 93285

Re-Convene July 14, 2020 Regular Meeting

Regular Meeting

Tuesday, August 04, 2020

1:00 P.M.

Chairperson: John Blythe

Trustees: Mark Montgomery, Esteban Olivares, Harry Schustz, Gerald Wenstrand

Welcome Trustee Olivares (Appointed July 14, 2020)

District Manager: Randy Kyt

Clerk of the Board: Laura Kyt

Clerk of the Board Laura Kyt requests personal leave due to injuries sustained in an automobile accident (see Manager's Report)

All agenda item supporting documentation is available for public review in the office of the Clerk of the Board of Trustees, 8441 Burlando Road, Wofford Heights, CA 93285 during regular business hours 11:00 a.m. - 3:00 p.m., Monday through Friday, following the posting of the agenda. Any supporting documentation that relates to an agenda item for an open session of any regular meeting that is distributed after the agenda is posted and prior to or during the meeting will also be available for review at the same location.

AMERICANS WITH DISABILITIES ACT (Government Code Section 54953.2)

The Kern River Valley Public Cemetery District office is accessible to persons with disabilities. Disabled individuals who need special assistance to attend or participate in a meeting of the Board of Trustees may request assistance at the Clerk of the Board of Trustees, 8441 Burlando Road, Wofford Heights or by calling (760) 376-2189. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

Public restrooms are not available in the District Office

PLEASE REMEMBER TO TURN OFF ALL CELL PHONES, PAGERS, OR ELECTRONIC DEVICES DURING BOARD MEETINGS

BOARD TO RECONVENE

Board of Trustees: Blythe, Montgomery, Olivares, Schustz, Wenstrand

CALL TO ORDER BY CHAIR OF THE BOARD

ROLL CALL BY THE CHAIR OF THE BOARD

PLEDGE OF ALLEGIANCE & INVOCATION LED BY MANAGER

PUBLIC REQUESTS, COMMENTS, PRESENTATIONS:

This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO THREE MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK-YOU!

CONSENT AGENDA

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH A "CA" ARE CONSIDERED TO BE ROUTINE AND NONCONTROVERSIAL BY THE DISTRICT'S CHAIRPERSON AND STAFF. THE "CA" REPRESENTS THE CONSENT AGENDA FOR THE BOARD OF TRUSTEES. CONSENT ITEMS WILL BE CONSIDERED FIRST AND MAY BE APPROVED BY ONE MOTION IF NO MEMBER OF THE BOARD OR AUDIENCE WISHES TO COMMENT OR ASK QUESTIONS. IF COMMENT OR DISCUSSION IS DESIRED BY ANYONE, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED IN LISTED SEQUENCE WITH AN OPPORTUNITY FOR ANY MEMBER OF THE PUBLIC TO ADDRESS THE BOARD CONCERNING THE ITEM BEFORE ACTION IS TAKEN.

DISTRICT MINUTES

- CA 1) Approval of May 12, 2020 Regular Meeting Minutes *Consent Agenda*
- CA 2) Approval of June 18, 2020 Special (Budget) Meeting Minutes *Consent Agenda*
- CA 3) Approval (subject to audit) of March Financial Report *Consent Agenda*
- CA 4) Approval (subject to audit) of April Financial Report *Consent Agenda*
- CA 5) Approval (subject to audit) of May Financial Report *Consent Agenda*

NON-RESIDENT FEE WAIVED

- CA 5) Request received to waive non-resident fee: Interment of Joann Thomas *Consent Agenda*
 - a) Cremation interment: May 14, 2020 [Section I, Block 7, Lot C9(b)]
 - b) Mrs. Thomas moved away due to medical reasons in 2019
 - c) Mrs. Thomas was a resident of the valley for 30 years - she lived in Kernville
- CA 6) Request received to waive non-resident fee: Interment of Mary Ann Boice *Consent Agenda*
 - a) Casket interment: May 15, 2020 [Section III-A, Block 28, Lot D15(b)]
 - b) Mrs. Boice moved away due to medical reasons in 2019
 - c) Mrs. Boice was a resident of the valley for 50 years - she lived in Bodfish
- CA 7) Request received to waive non-resident fee: Interment of Katherine Bohn *Consent Agenda*
 - a) Casket interment: June 24, 2020 [Section III-C, Block 370, Lot C12(b)]
 - b) Mrs. Bohn moved away to live closer to family in 2014
 - c) Mrs. Bohn was a resident of the valley for 50 years - she lived in Kernville
- CA 8) Request received to waive non-resident fee: Griffith Pre-Need *Consent Agenda*
 - a) Cremation interments planned for George and Marjorie Griffith [Section III-A, Block 74, Lot C10(a) & C11(a)]
 - b) Mr. and Mrs. Griffith moved to Nevada in 2016 after their home burned down in the Erskine Creek Fire
 - c) Mr. and Mrs. Griffith still own the land - they were South Lake residents for over 30 years
- CA 9) Fee reduced: Interment of Emmett Corbitt *Consent Agenda*
 - a) Casket interment: June 26, 2020 [Section II, Block 141, Lot C10]
 - b) Upon evaluation of fees dues it appeared that the vault and handling fees were paid
 - c) Secretary discovered the error the day of service and reported to the sister of Mr. Corbitt
 - d) Secretary negotiated with Ms. Corbitt who had refused to pay the fees
 - e) Secretary collected 70% of the total unpaid fees due

Action
Required

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APPROVAL OF THE CONSENT AGENDA

- 1) All items listed with a "CA" are considered to be routine and approved by one motion unless an item is pulled. Each pulled item will be heard in open session in number sequence order after approval of consent agenda. Action on each item pulled will be taken after discussion of the item pulled.

Action Required

END PAGE #2

Action Required A	<u>MANAGER'S REPORT</u>	<u>Action Required</u>
1)	Personal Leave of Absence Requested by Secretary Kyt	
Action:	<ul style="list-style-type: none"> a) Secretary Kyt requests a "Personal Leave of Absence" for injuries sustained in an automobile accident b) Accident occurred when Secretary Kyt turned left into the District's driveway c) Secretary Kyt was hospitalized from July 7, 2020 to July 9, 2020 d) Secretary Kyt was transferred to a rehab center where she was treated from July 10th to July 23rd e) Secretary Kyt received salary for pay period ending July 17th where personal leave accruals were used f) Financial resources available to Secretary Kyt - she can apply for State Disability Insurance (SDI) g) Employer CalPERS expenses and Secretary Kyt's payroll deductions for CalPERS ceased as of July 17th h) Secretary Kyt will be seen by an Orthopedic Surgeon August 26th i) Secretary Kyt will be seen by a Neurosurgeon due to head injuries - waiting for referral j) Secretary Kyt retains the knowledge of the position "Clerk of the Board" and "District Secretary" k) Secretary Kyt has guided Mgr Kyt through essential business activities necessary to continue operating l) Email has been sent to District Attorney Karen O'Neil advising her of situation and potential call from Trustees m) Mgr Kyt requests guidance and authorization from the Board of Trustees to allow leave of absence 	
2)	Department of Human Services - CalWORKS and KHSD Programs	<i>Information</i>
	<ul style="list-style-type: none"> a) CalWORKS participants assigned for training work part-time and are paid by the Dept of Human Services b) No participants are currently assigned by CalWORKS for training as a groundskeeper due to COVID-19 c) KHSD participants assigned for training work six months only and receive full-time pay d) No participants are assigned for the KHSD training program due to COVID-19 	
3)	Mexican American Opportunity Foundation (MAOF)	<i>Information</i>
	<ul style="list-style-type: none"> a) Work site agreement signed on April 13, 2020 for subsidized employment training program b) MAOF employment goal of the work experience program is to facilitate placement of participants c) MAOF participants assigned for training work full-time for six months only and receive full-time pay d) One participant was assigned for training as a groundskeeper on April 16, 2020 	
4)	Headstone Controversy: Audrey Jones	<i>Discussion</i>
	<ul style="list-style-type: none"> a) Audrey Jones - Casket interment: July 10, 2019 [Section II, Block 146, Lot D16(b)] b) Partner in life Virgil Tucker was interred March 31, 2007 in the lower level of double vault identified above c) The three daughters of Virgil formally requested his disinterment to transfer him to Riverside National Cem. d) Disinterment matter came before Trustees (10-09-07) and minutes indicate a court order would be needed e) A veteran's headstone was placed on the plot for Virgil Tucker - Audrey Jone's name is not on it f) One family member of Audrey wishes to remove Virgil's VA marker and replace it with a companion marker g) In order to remove Virgil's VA marker Virgil's daughters would have to authorize the changes h) CAPC recommends that a form letter is prepared that all family members sign they are in agreement i) One family member of Audrey demands no one can place a headstone on the plot without her permission j) She claims that as the executor of Audrey Jone's estate she has all authority over the plot's deed k) If that were the case Vigil's three daughters would have 50% authority over the plot l) District has fulfilled the contract to inter Virgil Tucker and Audrey Jones & there are no rights to pass on m) She claims she has sought legal advice but the District has not received any notice from her legal counsel n) Letters of appeal to the Board of Trustees received by email from other family members of Audrey Jones o) Family seeks resolution in order to honor Audrey with a headstone p) Mgr Kyt requests guidance from the Board of Trustees 	
5)	District Onsite Fuel Storage	<i>Discussion</i>
	<ul style="list-style-type: none"> a) Trustee Montgomery requested that topic be added to August 4th agenda b) Mgr Kyt requests guidance from the Board of Trustees 	

MANAGER'S REPORT - continued

- 6) Desert Memorial Park - Ridgecrest *Discussion*
- a) President and Owner Debra Holland sent an email inquiry addressed to Mgr Kyt
 - b) She would like to schedule a meeting to discuss the District annexing her cemetery
 - c) She has been communicating with LAFCo Executive Officer Blair Knox
 - d) Mgr Kyt requests guidance from the Board of Trustees

Action Required A

- 7) **Revise Fund #42010 Budget Capital Outlay & Expenditures** Action Required
- a) Budgeted \$7,000 capital outlay to purchase a "Life is Eternal" bronze memorial for the Rose Garden
 - b) Two quotes received \$7,574.58 and \$18,440
- Action: c) Accept quote lowest quote of \$7,574.58 received from Matthew's Cemetery Products
Action: d) Adopt revision to District's General Fund #42010 Budget for Fiscal Year 2020-2021 & order memorial

- 8) **Historic Cemetery: National Register of Historic Places Process** *Information*

- Nov 2018 a) Southern California Edison (SCE) ground disturbance due to installing electric poles (June & September 2018)
- Nov 2018 b) Kick off meeting (October 22, 2018) attended by Chairperson Sloan-Thurman and District Staff
- Nov 2018 c) Archaeologists collect evidence (October 22, 2018 to October 26, 2018)
- Nov 2018 d) Report to be generated by SWCA Environmental Consultants hired by SCE
- Nov 2018 e) Restoration of affected area evaluation process performed by Sequoia National Forest and SCE
- Nov 2018 f) National Register of Historic Places - determination process of eligibility
- Nov 2018 g) Review the Record of Survey information provided by Surveyor Loryne Schamber
- Nov 2018 h) Water diversion planning to prevent erosion damage of land and slopes when dam is full to capacity
- Nov 2018 i) Discovery: full lake water encroachment of District boundaries
- Nov 2018 j) Sequoia National Forest Archaeologists William MacNeill and Tim Kelly give situation assessment presentation
- Nov 2018 k) KRVC D Trustees and management additional subject matter inquiry - information obtained
- Dec 2018 l) SCE installed erosion barriers around base of telephone poles
- Jan 2019 m) Emails sent to SCE~SWCA and National Sequoia Forest (SNF) for update on report
- Mar 2019 n) Email received from Archaeologist MacNeill - waiting for SWCA to submit final draft
- May 2019 o) Mgr Kyt spoke with Archaeologist MacNeill - waiting for SWCA to submit revised draft
- Nov 2019 p) Update by Archaeologist MacNeill - email received - final report from SCE~SWCA is not complete
- Jan 2020 q) Update by Archaeologist MacNeill - Site Evaluation & Impact Assessment letter dated Dec. 20, 2019 rec'd
- Mar 2020 r) SNF sought concurrence with State Historic Preservation Officer (SHPO) - refer to letter dated 12-20-19
- Mar 2020 s) SHPO (Officer Teresa Benson) did not concur with SNF that Historic Cemetery is eligible for NRHP
- Mar 2020 ~) NRHP: National Register of Historic Places
- Aug 2020 >>> t) Research will be required in order for the District to demonstrate the Historic Cemetery should be on NRHP

TRANSITION DRIVEWAY ASPHALT PROJECT

- 1) **Transition Driveway Asphalt Project Completed** *Discussion*
- a) Kern Asphalt Paving & Sealing Co., Inc. the lowest responsible bidder was awarded the contract April 7th
 - b) Contract revisions were required and were reviewed with Chairperson Blythe and Mgr Kyt
 - c) Adjacent property owner Mr. Steve Burns was notified on April 22nd of the asphalt project activity
 - d) Project was started on April 27, 2020 and was completed on May 4, 2020 the day the asphalt was sealed
 - e) Kern Asphalt Paving & Sealing Co., Inc. team provided excellent service and professional results
 - f) Project was bid at \$33,100 and no contractor cost overruns occurred
 - g) Electrician was hired by District at a cost of \$585 to safely disconnect and reconnect irrigation wires
 - h) District purchased and furnished all pipes, unions, valves, couplers, primer, glue, etc for the project
 - i) Final project cost report will be presented once FEMA close out documentation has been completed
 - Aug 2020 >>> j) Mgr Kyt reports rock work along driveway is complete

HISTORIC CEMETERY ACTIVITIES

- 1) **Historic Cemetery Sale of Plots and Interment Activity** *Information*
 - Nov 2018 a) Ceased the sale of plots in the Historic Cemetery pending surveyor services as approved by Trustees
 - Sept 2019 b) First interment performed from November 13, 2018 to present: Cremation PreNeed - Elizabeth Waldrop
 - Oct 2019 c) Second interment performed from November 13, 2018 to present: Cremation PreNeed - Elizabeth Worlds
 - Oct 2019 d) Cremation PreNeed Arrangements: Joyce Holt - to rest in same plot with husband Johnnie Holt

- 2) **Survey Services for Historic Cemetery** *Discussion*
 - Nov 2018 a) Loryne Schamber of Terralade Surveys performed a topographic survey of the District in June of 2008
 - Nov 2018 b) Schamber services were used in 2008 to map Section III-B & Section III-C for cemetery software mapping
 - Nov 2018 c) There is a possibility Ms. Schamber surveyed the entire cemetery district but she is not sure yet
 - Nov 2018 d) Ms. Schamber has upgraded her computer system; she is searching her old system for the 2008 survey
 - Nov 2018 e) Historic cemetery plots sizes are not uniform and block markers are ineffective
 - Nov 2018 f) Paddle markers placed by the movie industry when western films were filmed were never identified
 - Nov 2018 g) 1972 fire destroyed records; potential for unmarked plots due to historic interments performed
 - Nov 2018 h) The sale of plots in the Historic Cemetery have proved difficult due to the above issues
 - Nov 2018 i) Policy and Procedure for Historic Cemetery interment rights & upright markers needs review
 - Nov 2018 j) FEMA and CalOES will need plot pin point location identification information regarding sunk graves
 - Nov 2018 k) Terralade Surveys offers drone deploy survey (FFA licensed) and ground penetrating radar services
 - Nov 2018 l) Received email that included site map over lay with GPS & record of survey from Ms. Schamber (11-08-18)
 - Jan 2019 m) Grid survey map prepared by surveyor would prove helpful to staff
 - Mar 2019 n) Surveyor Schamber scheduled to perform ground penetrating radar equipment in Historic Cemetery
 - Mar 2019 o) Other work performed by Surveyor Schamber - District property lines confirmation
 - May 2019 p) Surveyor Schamber and team scheduled for the weekend of June 1st
 - June 2019 q) Surveyor Schamber and team performed survey services and drone deploy occurred June 1st
 - July 2019 r) Mgr Kyt reports that Surveyor Schamber is waiting for report from drone operator
 - July 2019 s) Mgr Kyt reports that ground penetrating radar will be performed by Surveyor Schamber & team in August
 - Nov 2019 u) Update by Surveyor Schamber - email received (September 10, 2019) regarding Burn's property easement
 - Jan 2020 v) Update by Surveyor Schamber - email received with attachment of Historic Cemetery grid map
 - Discussion >>> w) Progress Report

EMPLOYEE NOTIFICATIONS AND REPORTS

- 1) **Ethics AB 1234 Training - progress report** *Information*
 - a) Training may be completed at www.targetsolutions.com/kernrivercd
 - b) Certification is current for Employees: Manager Kyt and Secretary Kyt

- 2) **Workplace Anti-Harassment Training AB 1825 - progress report** *Information*
 - a) Training may be completed at www.targetsolutions.com/kernrivercd
 - b) Certification is current for Employees: Manager Kyt and Secretary Kyt

BOARD OF TRUSTEES NOTIFICATIONS AND REPORTS

- 1) **Ethics AB 1234 Training - progress report** *Information*
 - a) Training may be completed at www.targetsolutions.com/kernrivercd
 - b) Certification is current for Trustees: Blythe, Schustz, and Wenstrand
 - c) Training assigned to: Montgomery and Olivares

- 2) **Workplace Anti-Harassment Training AB 1825 - progress report** *Information*
 - a) Training may be completed at www.targetsolutions.com/kernrivercd
 - b) Certification is current for Trustees: Blythe and Schustz
 - c) Training assigned to: Montgomery, Olivares and Wenstrand

UNFINISHED BUSINESS

- 1) Fiscal Year 2016-2017 Audit *Information*
 - a) Auditor confirmed for audit of fiscal year 2016-2017 (District budgeted \$4,250 + mileage)
 - b) Due dates for audit: State is January 31, 2018 and County is June 30, 2018
 - c) Secretary's average hours worked in FY 2016-2017 = 25 hours per week
 - d) Progress report by Secretary

- 2) Fiscal Year 2017-2018 Audit *Information*
 - a) Auditor confirmed for audit of fiscal year 2017-2018 (District budgeted \$4,250 + mileage)
 - b) Due dates for audit: State is January 31, 2019 and County is June 30, 2019
 - c) Secretary's average hours worked in FY 2017-2018 = 30 hours per week
 - d) Progress report by Secretary

- 3) Fiscal Year 2018-2019 Audit *Information*
 - a) Auditor confirmed for audit of fiscal year 2018-2019 (District budgeted \$4,250 + mileage)
 - b) Due dates for audit: State is January 31, 2020 and County is June 30, 2020
 - c) Secretary's average hours worked in FY 2018-2019 = 40 hours per week
 - d) Progress report by Secretary

NEW BUSINESS

- 1) Fiscal Year 2019-2020 Audit *Information*
 - a) Received letters from CPA firms who would like the opportunity to provide audit services
 - b) CPA firms request to be added to list of qualified CPA firms to receive a request for proposals

Action
Required
A

- 2) Fiscal Year 2019-2020 Audit **Action Required**
 - a) Budget Allocation: for audit of fiscal year 2019-2020 - to be determined
 - b) Approve RT Dennis Accountancy to perform audit services for fiscal year 2019-2020
 - c) or begin process to request bid proposals from qualified CPA firms

- 3) U.S. Small Business Administration Disaster Assistance *Discussion*
 - a) Email received from U.S. Small Business Administration indicating irregular activities on a SBA loan application
 - b) Reported to SBA that the District has not applied for a SBA loan (COVID-19 assistance) & suspecting fraud

- 4) CalPERS: Amend Contract *Discussion*
 - a) There is a possibility that the District can amend the CalPERS contract by creating exclusions
 - b) Exclusions such as only full-time employees may receive the benefit of CalPERS
 - c) Exclusions such as private contractors will not receive the benefit of CalPERS
 - d) Additional research required

Action
Required
A

- 5) Public Safety Risk: Access to Cemetery Property from Burlando Road **Action Required**
 - a) Public access the District through three different gates
 - b) Burlando Road is a 55 mph roadway and due to many auto accidents has proven to be a public safety risk
 - c) Mgr Kyt requests guidance from the Board of Trustees and to draft letter of concern
 - d) Notify by letter from District's Board of Trustee to the Board of Supervisors the concerns of the District
 - e) Notify by letter from District's Board of Trustee other pertinent agencies the concerns of the District

Action Required A	<u>BOARD OF TRUSTEES ACCOUNT AUTHORIZATION</u>	<u>Action Required</u>
1)	AltaOne Federal Credit Union - Account Signature Cards	
	a) Updated account authorization needed for current Board Members and Mgr Kyt for both bank accounts	
	b) Updated account authorization needed for Secretary Kyt to obtain bank information only for both accounts	
	<i>Action:</i> c) Authorize update of account signature cards; authorize update of accounts for Secretary Kyt; sign letters	

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ADD ITEMS FOR FUTURE AGENDAS

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BOARD MEMBER ANNOUNCEMENTS or REPORTS (Information Only):

Board Member Announcements or Reports (Information Only): On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda. (Gov. Code Sec. 54954.2[a])

- 1) Trustee Blythe
- 2) Trustee Montgomery
- 3) Trustee Olivares
- 4) Trustee Schustz
- 5) Trustee Wenstrand

DISTRICT PERSONNEL ANNOUNCEMENTS or REPORTS (Information Only):

- 1) Manager Randy Kyt
- 2) Secretary Laura Kyt

NEXT REGULAR MEETING:

Scheduled: September 8, 2020 at 1:00 p.m.

Action Required A	1)	Scope of Trustee's Compensation for attending this meeting	<u>Action Required</u>
		<i>Action:</i> a) Authorize a stipend be paid for Trustees attending this meeting	

Action Required A	1)	<u>MOTION TO ADJOURN:</u> <i>time meeting adjourned</i>	<u>Action Required</u>
		a) Action to close	

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