

Kern River Valley Public Cemetery District
Minutes of the Special Board of Trustees Meeting – Friday June 21st, 2024 @ 10:00 AM

KERN RIVER VALLEY PUBLIC CEMETERY DISTRICT
MINUTES OF THE SPECIAL BOARD OF TRUSTEES MEETING
Friday June 21st, 2024 @ 10:00 AM

District Administrative Office: 8441 Burlando Road Wofford Heights, CA 93285 County of Kern

Present: Harry Schustz, Chairperson/President, Board of Trustees
Kathy Agapiou, Vice Chairperson/Vice President, Board of Trustees
Esteban Olivares, Member, Board of Trustees (*via phone*) *
Michael Ryan, Member, Board of Trustees
John Blythe, District Administrative Assistant
Tamela Ashlock, District Secretary

Absent: Danny Brown, Interim District Management Consultant
(*One seat on the Board of Trustees is currently vacant*)

- A. CALL TO ORDER: Meeting was called to order by Chairperson Schustz at 10:00 AM
- B. 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 six members of the public present, two were from the news media. The following gave comments:

Andrea Mullens: Inquired about the board’s minutes and when those would be posted. Chairperson Schustz and Assistant Blythe said those are in progress. With relation to volunteers, are they paid? Chairperson Schustz responded no. When will the district have new management in place? Chairperson Schustz responded, it is currently underway.

Bill Becker: Observer, from the Kern River Radio.

Don Wetteland: Retired DMV director in Lake Isabella. Advised against having an invocation at a public meeting as it may discriminate other religions. With relation to former management, he recommends the board have a paper trail and everything documented should there be any legal issues. Chairperson Schustz responded that the board cannot discuss personnel matters.

Jennifer Wagner: Read her comment letter to the board (see written letter, addendum #1).

Orion Sanders: Kernville Chamber of Commerce President and shares he has applied for District Manager position.

- E. CLOSED SESSION: The Board adjourned into closed session at 10:09AM to discuss the following items:
 - 1. Public Employee Appointment/Recruitment – District Manager (Gov. Code 54957)
- F. CLOSED SESSION REPORT: The board came out of Closed Session at 11:35AM. A motion was made by Trustee Olivares to appoint Orion Sanders as District Manager; second by Trustee Agapiou and passed. No other action was taken and no other items were discussed.
- G. ADJOURNMENT: The meeting was adjourned at 11:43 AM

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Respectfully submitted by
John Blythe

John Blythe
District Administrative Assistant

Addendum:

1. Public Comment Letter from Jennifer Wagner

(Pages 3-5)

**Trustee Esteban Olivares participated via phone from:
501 S. Mount Vernon Ave.
Bakersfield, CA 93307*

Friday June 21, 2024

My name is Jennifer Wagner. I attended my first Cemetery Board meeting on May 14, 2024. That meeting was very eye-opening. As I do not know how a special district operates, I wanted to learn a little bit more. After this meeting, I wondered, who is responsible for WHAT at the cemetery.

Questions such as what duties and responsibility do the Cemetery Board Members have?

Are they responsible for overseeing the staff at the cemetery? Do they do the staffs evaluations? If not, who does? When was their last evaluation?

Who is responsible for finding a new computer program?

As each Board Members is aware, a new program is needed. It has been known for some time that the current program does not work.

The need for a new program for the Cemetery became very evident when trying to get the past due audits done. The CPA did not want the accounting information from an excel spreadsheet, but rather in QuickBooks. This of course has created additional work and time to get the audits complete, as the work needs to be reentered from excel to QuickBooks.

In 2020, when Laura was in a car accident and was off for an extended period of time, why wasn't someone hired to help in the cemetery office? Would this have been Randy's responsibility, or should the Board have stepped in to get some help?

Randy and Laura have great hearts. They gave their all to this cemetery and to the people of this valley. Of course, there are a few that were dissatisfied but the majority are very thankful for them. They had their shortcomings in not completing all the work required. You could list a million reasons why, but in the end bottom line all the work didn't get done. Why didn't the Board do something before now?

I guess my confusion comes as to why did you, the Board, take such extreme actions at this moment in time? Why wasn't a corrective action plan previously written up? Why was such a drastic action taken with no plan in place to train and teach new staff? No plan was secure for potential burial needs of loved ones – this is heart breaking.

The Grand Jury Report findings are lengthy – with 15 findings.

The Grand Jury Report listed items that were the responsibility of Randy and Laura that needed to be completed, but there were also items that the Board Members themselves had not completed and items they were responsible for such as:

Assisting in locating additional Board Members, taking the time to have monthly board meetings, Board Members failure to remain current on required training, the Board being neglectful in securing and overseeing personnel to maintain current financial audits, oversight of payroll, not securing enough staff...

These items were identified in the report as the responsibility of the Cemetery Board.

As you are aware, the financial audits are delinquent for Fiscal Years 2017, 2018, 2019, 2020, 2021, 2022, 2023 – that is Seven years of delinquencies.

My question to some of the Board Members

Harry Schustz - you started on – August 2019 – you have been on the Board for a minimum of 4 of these delinquent audits. *years,*

Esteban Olivares – you started July 2020 – you have been on the Board for a minimum of 3 of these delinquent audits.

Michael Ryan and Kathy (Peggy) Agapiou – you both started August 2023 – you have been on the Board for a minimum of one year of these delinquent audits.

And John Blythe, although not a current member – but per the Kern Valley Sun article dated 06/11/2024 – you stated you had been a Board Member for 10 years. That means you were on the Board for ALL seven years of these delinquent audits.

So, my statement to you -

John Blythe, and Board Members – the number of years you have been on the board – some longer than others – is the time period these delinquencies occurred. Your actions or should I say your inactions have contributed to where the Cemetery is at today.

THANK YOU!