

Kern River Valley Public Cemetery District
Minutes of the Regular Board of Trustees Meeting – Tuesday, November 12th, 2024 @ 1:00 PM

KERN RIVER VALLEY PUBLIC CEMETERY DISTRICT
MINUTES OF THE REGULAR BOARD OF TRUSTEES MEETING
Tuesday November 12th 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
Teresa Barnum, Member, Board of Trustees (*via phone, as observer*) *
Esteban Olivares, Member, Board of Trustees
Michael Ryan, Member, Board of Trustees
Orion Sanders, District Manager
Tamela Ashlock, District Secretary
John Blythe, District Administrative Assistant

Guests: Kevin Brejnak, CPA, District Auditor (*via phone*)

- A. CALL TO ORDER: Meeting was called to order by Chairperson Schustz at 1:00 PM
- B. ROLL CALL – QUORUM PRESENT (4 Trustees Present; *Trustee Barnum due to a last-minute work conflict could not officially participate remotely due to the timing of the agenda posting, therefore attended over the phone as an observer and could not vote on items as a Trustee.*)
- C. PLEDGE OF ALLEGIANCE AND INVOCATION: Chairperson Schustz gave the Pledge of Allegiance and Invocation.
- D. PUBLIC COMMENT, REQUESTS AND PRESENTATIONS: There was one member of the public, Catherine Stachowiak, who introduced herself as a reporter from the Kern Valley Sun.
- E. CONSENT AGENDA:

Past Board Meeting Minutes:

1. Regular Board Meeting Minutes – October 8th, 2024

Monthly Financial Report:

1. Financial Report for October, 2024:

*Account Balances 10/31/2024: Alta One 339: \$18,324.85; Alta One 007: \$16,698.19.
Monthly Interest from Stifle & Nicholas Co.: \$2,873.63*

County Account Balances 10/31/2024: General Fund 42010: \$217,491.27; Endowment 42011: \$212,667.18; Contract Sales 42012: \$5,642.88; Deferred Maintenance 40213: \$33,252.92

Monthly Revenues deposited into County Fund 42010: \$7,169.77; \$3,400.00 deposited into Endowment Fund 42011

Non-Resident Fee Waiver:

1. Walker, Sally; Section II, Block 135; B7&B8 (former longtime resident)

Administrative Assistant Blythe requests that Item #1 for Non-Resident Fee Waiver for Sally Walker be pulled from consent agenda and voted on separately. Motion to approve consent agenda items with exception of Non-Resident Fee Waiver by Trustee Ryan; second by Trustee Olivares and passed.

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Secretary Ashlock discovered that Sally Walker had not been a resident of the district in over fifteen years and this information was subsequently discovered after the fact. Recommendation is to not grant a Non-Resident Fee Waiver.

Motion was made by Trustee Ryan to not grant the Non-Resident Fee Waiver; second by Trustee Agapiou and passed.

- F. 2016-2017 FYE AUDIT PRESENTATION: Kevin Brejnak, District Auditor
Auditor Brejnak attended via phone from his office in the Inland Empire and reported that he had completed the 2016-17 audit and submitted the audited financial statements to the board for review. Auditor Brejnak apologizes that it took several months to get the audit and testing system in place, but reports that the financial statements for FY 2016-17 present fairly and in all material respects the financial position of the governmental activities and each major fund of the district as of June 30, 2017. Auditor Brejnak commented that for the current existing board and current management it may be difficult for them to understand as none of the current board trustees or management was familiar with the District's FYE 2017 finances. Auditor Brejnak presented to the board an overview of three material weaknesses findings in the district's operations for FY 2016-17 including the district being out of compliance with Government Code 26909 and continued failure to have an audit performed within the twelve months of the close of the fiscal year; lack of segregation of duties and the close family relations of district employees at that time particularly related to payroll and lack of oversight; and not performing proper year-end closures of the ending balances of the assets and liabilities in the general ledger system at the end of FYE 2017. Auditor Brejnak presented recommendations of correcting these material weakness findings. Administrative Assistant Blythe commented that Auditor Brejnak's three findings and recommendations for correction have been implemented moving forward. Auditor Brejnak's timeline is to try and get one audit done a month for each delinquent fiscal year moving forward, although it may move much faster now that a system is formally established.

Motion by Trustee Olivares to receive and file the Fiscal Year 2016-17 audit and submit a copy to Kern County Auditor/Controller's Office; second by Trustee Ryan and passed.

- G. MANAGER'S REPORT: Orion Sanders, District Manager
Manager Sanders reported on the following items:
Administrative Staff: Manager Sanders reports that the district is still looking for a part time administrative assistant/office clerk position. They had one interview recently, but the candidate has since moved from the valley.
FEMA: Manager Sanders has been working to close out outstanding FEMA case files from FY 2017. Apparently, these outstanding files were not closed out on FEMA's end. Manager Sanders has been working with FEMA to hopefully finalize process so the district can eventually start moving forward on the sea wall construction for the historical cemetery.
Water Well System: The district is continuing to take recommendations from Piute Pump for the maintenance of the well system. Groundskeeper Shadden has been continuing to monitor.
Veterans Day Ceremony: The district recently held its annual Veterans Day recognition ceremony down by the Veterans Memorial Wall and was well attended. Ireland Comstock, field representative for Congressman Vince Fong and Pastor Jamie Lanza were key note speakers.
- H. ADMINISTRATIVE UPDATE: John Blythe, District Administrative Assistant
Assistant Blythe reported on the following items:
Delinquent Audits: Assistant Blythe reported that Auditor Kevin Brejnak completed FYE 2017 audit at the board meeting this afternoon. Accountant David Bruner has already been in process of

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submitting financial reconciliation documents to Auditor Brejnak for Fiscal Year 2017-18 and Fiscal Year 2018-19 by the end of this month. Auditor Brejnak feels this audit process should go much faster now that his audit system is in place.

Quarterly District Services Report: Secretary Ashlock will be presenting the board at least minimum quarterly, a full services report for the number of internments, pre-need contracts etc.

County Reports: Assistant Blythe recently had a conversation with Jordan Kaufman, Kern County Treasurer regarding moving the districts investment funds to the county. Treasurer Kaufman is to provide Assistant Blythe and the district with information regarding certain policies and financial information hopefully by the December board meeting should the board of trustees decide to eventually take action on moving the district's investment accounts from Stifle & Nicholas Co.

District Surplus Sale: Kathleen Riviera, Assistant County Counsel will be providing the district with the proper agenda verbiage regarding the district surplus sale on a future agenda.

Accounting System Changes: Accountant Bruner will look at providing changes to the district's accounting systems regarding setting up in-house payroll system and a credit card merchant account. Manager Sanders and Secretary Ashlock both indicate that clients have come into the district office recently wishing to pay by credit card.

I. OLD BUSINESS:

1. Grand Jury Recommendations Update: Chairperson/President Harry Schustz summarized the Grand Jury Recommendations and the progress report. Items F14 and F15 outstanding on the Grand Jury report deal with Cal-Water and FEMA respectively. The district is not associated with Cal-Water, and the FEMA arrangement is still in process regarding the sea wall at the historical cemetery.
2. Discussion Regarding District Investment Funds: Assistant Blythe reports that as per his conversation with Kern County Treasurer Jordan Kaufman, he is to provide the district with county's recommendations for investments and may also submit information related to the state's LAIF fund as another investment diversification.
3. District Updated Master Fee Register: Manager Sanders presented to the board the official updated master fee registers with updated price list. Managers Sanders recommends the board adopt and approve these prices effective January 1st and will also offset changes to the district's operating budget moving forward. Some of the updated prices are consistent with other comparable prices as per CAPC's list. Trustee Ryan moved to adopt the District's Updated Master Fee Register to go into effect January 1st; second by Trustee Agapiou and passed.

J. NEW BUSINESS:

1. Quarterly Report on District Services Performed: Secretary Ashlock presented an updated quarterly report regarding the district's services related to internments, pre-needs, etc. The board concurred with the report being quarterly, but Secretary Ashlock reports she can provide it monthly should the board request this.
2. Consider Bylaw Amendment – Provision D; Section 6: Trustees asked this to be put on the agenda as a future change regarding the stipend increase from \$50 to \$100 per meeting to be more in line with other cemetery districts and special districts. Assistant Blythe reports he communicated with County Clerk Kathleen Krause and said the limit under county ordinance is \$100 per meeting, and can be amended via bylaw change. Assistant Blythe also shared that AB 2329 was passed in 2019 and made updated changes to the California Health and Safety Code to set at \$100 per meeting for local agency elected officials. Trustee Olivares inquired whether trustees can donate their stipends back to the district. Assistant Blythe indicated that

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Trustees can forgo the stipend should they decide to. Trustee Ryan recommends tabling this item to the first meeting in January.

3. Consider New Policy Regarding Time to Set Headstone/Marker: Manager Sanders reports there has been some concern regarding burials that do not have a headstone or a marker and suggests moving forward, at minimum each burial should have a marker if a headstone is not yet purchased by the family. Manager Sanders presented to the board a simple metal marker that can be put in concrete as a temporary until a headstone is set. The markers usually are about \$18. Trustee Ryan commented that in his prior experience with the mortuary business in Orange County, some cemeteries required at minimum a marker from year to date of interment. Secretary Ashlock will add verbiage to the district's policies and the sales contract that spells all of this out and bring it back to the next board meeting for approval.
4. Consider New Policy Regarding Etching of Headstones: Manager Sanders reports that the district should consider declining etching of headstones and this should be the responsibility of the buyer and family, not the responsibility of the district. General consensus of the board agreed as there was recently a family that saw the etching of a headstone was presented with wrong designs. Secretary Ashlock will add verbiage to the district's policies and sales contract. Trustee Olivares asked if Secretary Ashlock could at least serve as a liaison to the family's to find a company that will provide these kinds of etchings, and Secretary Ashlock said this should not be a problem and will bring this back to the next board meeting for approval.
5. Approve Forming an EROD Account / ACH – Kern County Treasurer: Kern County Treasurer Jordan Kaufman communicated with Assistant Blythe about setting the district up with an EROD Account to provide easier transfers into the district's accounts with the County such as the General Fund, Endowment and Contract Sales deposits as this will save time creating a formal voucher. Trustee Ryan moved to authorize the district to create an EROD / ACH Account; second by Trustee Olivares and passed.
6. Appoint New Board Positions – Secretary and Treasurer: Chairperson/President Schustz recommends tabling this to the first board meeting of the new year in January when the board elects its officer positions.

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

Chairperson Schustz: Chairperson Schustz reports that this will be his last meeting as both board chair/president and as a trustee as he did not seek re-appointment by the county Board of Supervisors. His term will end effective November 27th. He thanks the board, the district management and the public for allowing him to serve in this capacity since 2019.

Trustee Ryan: Thanked Chairperson Schustz for all of his support, and admits the district went through some tough times this year, but supported the district and had a unified front as a board.

Trustee Agapiou: Appreciated Chairperson Schustz's efforts and has enjoyed serving as vice chair along his side and expresses gratitude for his guidance.

Trustee Olivares: Thanks Chairperson Schustz for his service to the board and that some of the rough decisions made this last year under his leadership were for the betterment of the district.

Trustee Barnum: Although she is new to the board, she has appreciated Chairperson Schustz's mentorship and welcoming her to this board.

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L. NEXT REGULARLY SCHEDULED MEETING: Tuesday December 10th, 2024 at 1:00 PM

M. MOTION TO ADJOURN: Trustee Olivares moved to adjourn the meeting at 2:23 PM and was seconded by Trustee Ryan and passed.

Respectfully submitted by
Tamela Ashlock

Tamela Ashlock
District Secretary

**Trustee Teresa Barnam due to last minute work conflicts was unable to attend in person and due to timing of the agenda posting, could not officially participate remotely or vote on items, therefore, attended as an observer.*