

NEWBERRY COMMUNITY SERVICES DISTRICT

Established 1958

Minutes of September 26, 2023

After an invocation by Robert Shaw the Meeting was called to order by President Unger at 6:06pm. Pledge of Allegiance was said.

Roll Call: Present: Director Deel, Director Matson, Director Roberts, Director Springer,
Director Unger
Absent: None

1. Approval of Agenda

Motion by Director Roberts; 2nd by Director Deel

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0
Unanimous

2. Approval of Minutes

a. Regular Board Meeting Draft Minutes 9/26/2023

On 4C 4th line after Now waiting add "December 1st will be the announcement of winners".

Move to accept as amended.

Motion by Director Roberts; 2nd by Director Springer

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0
Unanimous

3. Public Comments: *Anyone wishing to address any matter pertaining to District business listed on the agenda or not, may do so at this time. However, the Board of Directors may not take action on items that are not on the agenda. The public comment period may be limited to three (3) minutes per person. Any member may speak on any agenda item at the time the agenda item is discussed by the Board of Directors.*

A. General Public Ted Stimpfel – Staff should compile a list of Grant Writers and community info;

B. Community Reports-

1. County Supervisor-Elaine Villareal
2. Sheriff Captain Ron Markegard
3. CHP (Sargent Carmichael)-

3. Reports (attached if received)

A. General Manager – GM Vanek

B. Temporary CSD Administrator – Daphne Lanier

C. Fire Department - Chief Lanier

D. Financial Reports – GM Vanek

Balance Sheet, Budget vs Actuals

E. Air Quality Monitors - Director Unger

F. Directors Comments (1 min.)

4. Agenda Items- Discussion/Possible Action

A. Director's Fiduciary Responsibility – Discussion Only – Director Unger

The suggestions in the Institute for Local Self-Government publication "Everyday Ethics for Local Officials – Fiduciary Duties and Public Service" was reviewed and discussed.

B. Revise Policy 5070 to Incorporate Robert's Rules of Order – Discussion/Possible Action – Director Unger

Robert's Rules of Order is America's foremost guide to parliamentary procedure. The CSD needs to demonstrate to the public that it intends to conduct orderly and productive meetings.

Moved to table adopting to give Directors time to evaluate.

Motion by Director Unger; 2nd by Director Matson

Director Unger vacated motion to adopt Roberts Rules of Order.

C. 2012-2013 Grand Jury Report – Discussion and Possible Action – Director Unger

There appear to be numerous items in the 2012-2013 San Bernardino County Grand Jury Final Report that appear to currently be unaddressed. The Directors will begin a discussion leading to addressing these items. Because of the scope of the report, a Special Meeting may be needed to address these items in full.

Moved that Directors read the Grand Jury Report and ascertain if the Grand Jury recommendations were implemented.

Motion by Director Deel; 2nd by Director Roberts

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
 Noes 0
 Unanimous

Break was taken at 7:55pm returning at 8:08pm

D. Policy 2300 – General Manager Job Description – Discussion/Possible Action – Director Unger and Director Deel

The proposed revision of Policy 2300 adds a list of required management classes and a bonus reimbursement incentive for completing classes beyond just the required classes.

2300.1.2 Remove "and the Board of Directors" on the 2nd line and 2 other changes in same paragraph. The GM hires and fires staff and volunteers.

Moved to make the changes in 2300.1.2 as presented

Motion by Director Roberts; 2nd by Director Springer

Vote: Ayes 4 Directors Deel, Matson, Roberts, Springer
 Noes 1 Director Unger

E. Solar Projects Inquiry to Supervisor Rowe – Discussion/Possible Action – Director Unger

Local realtors and Newberry residents are receiving solicitations to sell or lease their land within Newberry Springs to solar developers who want to build solar energy projects within Newberry. Should the Board request clarification from Supervisor Rowe regarding whether permitting of these projects by the County is legal?

Move we send a letter to Supervisor Rowe asking "what are the solar rules & regulations of commercial solar given that we are primarily RL zoning.

Motion by Director Unger; 2nd by Director Matson

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0
Unanimous

F. Shall the NCSD write a letter to the California Public Utilities Commission in Support of Frontier Communications' CPC FFA Broadband Grant Application, FTR San Bernardino 2B. Discussion/Possible Action

The Frontier Communications' CPC FFA Broadband Grant Application, FTR San Bernardino 2B, will connect over 1,600 unserved households in the Newberry Springs Area in the Mojave Desert within San Bernardino County. The area includes the communities of Newberry Springs, Daggett, and Yermo.

Move we send a letter to CPUC using the sample letter.

Motion by Director Deel; 2nd by Director Roberts

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0
Unanimous

G. Transformative Climate Communities Grant Report for the Newberry CSD Building and Park for Planning or Project Development Funds. Discussion/Possible Action:

Directors Matson and Roberts, Rose Beardshear Report from Committee: *Application sent August 1st. Update by Chamber President Rose Beardshear Selections to be made in December.*

H. New Policy 2116 or 7008 to Govern the Using of Liaisons to Assist the GM, Discussion/Possible Action, Director Springer

Communication or cooperation which facilitates a close relationship between people or organizations. Being a tiny CSD when we have special projects our staff may have a difficult time taking care of everything. We work at the request of the GM and can only do what the GM gives us permission to do.

Park & Rec Liaison – Director Matson
Fire Department Liaison – Director Springer
Office/Financial Liaison – Director Deel
Street Lights & CSD Building Liaison – Director Roberts
Events – Director Unger

Move we accept changes as stipulated by Directors Deel and Springer and adopt Policy. Staff to assign Policy number.

Motion by Director Unger; 2nd by Director Springer

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0
Unanimous

I. Policy to Provide Public Wi-Fi in the Community Center Building Discussion/Possible Action, Staff

If the Board decides to have Public Wi-Fi, we need to include a policy to govern it. Staff is to report on cost and procedure.

Table to October Regular Meeting

J. 2023 Pistachio Festival Kickball Tournament Status – Discussion/Possible Action, Director Matson Update

\$3,000 to replace Ballpark light with LED to be paid from donations.

Move if donations are short, we advance funds from the #116 Reserve Account – Park and Recreation - up to \$2,000.

Motion by Director Deel; 2nd by Director Roberts

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0

Unanimous

K. MOU for Use of Vacant Lot Across Newberry Rd for Auxiliary Parking for Events Held at the NCSD, Discussion/Possible Action, Staff

Tabled to October Regular Meeting

L. Pumpkin Patch Sponsorship – Discussion/Possible Action – GM Vanek & Chief Lanier

The Chamber of Commerce has given up sponsorship of the Pumpkin Patch. It is scheduled for October 21st. Do we want to sponsor this event?

Move the CSD sponsor the Pumpkin Patch with Kari Packer as organizer.

Motion by Director Deel; 2nd by Director Roberts

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0

Unanimous

5. Approve Bills Paid and Presented Discussion/Possible Action

Motion by Director Springer; 2nd by Director Roberts

Vote: Ayes 4 Directors Matson, Roberts, Springer, Unger
Noes 1 Director Deel

6. Old and New Business

➤	Policy 3080 Purchasing
➤	Policy 3075 Credit Card Usage
➤	Policy 3040 Expense Authorization
➤	

Break at 10:09pm Returning at 10:20pm Closed Session began at 10:24pm

7. CLOSED SESSION GOV. SEC. CODE 54954.5(e) Public Employee Performance Evaluation - General Manager

8. Report from Closed Session – No Reportable Action

9. **Adjournment**

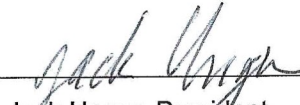
Motion by Director Springer; 2nd by Director Roberts

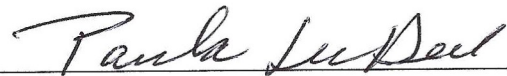
Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger

Noes 0

Unanimous

Meeting adjourned at 11:25P.M.



Jack Unger, President

Paula Deel, Vice President and Interim Secretary