**NEWBERRY COMMUNITY SERVICES DISTRICT**

Established 1958

**Draft Minutes of the Regular Meeting of the Newberry CSD Board of Directors Held September 23, 2025 at 6:00 P.M.**

In compliance with the American with Disabilities Act and Government Code section 54954.2, if you need special assistance to participate in the District Meeting or other services offered by the District, please contact the District Office at (760) 257-3613. Normal office hours are Wednesday, Thursday and Friday from 12 p.m. until 4 p.m.

After invocation by Robert Shaw, the meeting was called to order at **6:01 P.M**.

The pledge of allegiance was led by Assistant Fire Chief Cory Rogers

**Present were**: Directors Deel, Matson, Roberts, And Unger. Director Springer Joined the meeting at 6:22 P.M.

**Also present**: General Manager Vanek, Fire Chief Lanier, District Secretary Plascencia, and members of the public.

1. **Approval of Agenda**

Motion by **Director Unger** and 2nd by **Director Matson** to approve the agenda as presented.

Vote- **Unanimous**

1. **Approval of Minutes**
2. Draft Board Meeting Minutes of August 26, 2025 and Special Meeting Minutes of August 29, 2025

Motion by **Director Deel** and 2nd by **Director Matson** to approve the draft minutes from August 26, 2025 and Special meeting minutes of August 29, 2025 as presented.

**Vote:** Ayes: 3 Directors Deel, Matson, Roberts

 Noes: 1 Director Unger

 Absent: 1 Director Springer

**A. 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. (Comments will be included in the Supporting Documents if written Reports are submitted to the GM or Secretary by meeting time).*

**B.** **General Public**

Vicky Paulson- Church is having genealogy class on OCT 23rd.

Rose Beardshear- Pistachio Festival update (Attached in supporting documents).

Ted Stimpfel- Consider name change to NCSD to match the Town name “Springs”.

Gwen Patrick- After School program fall farming.

Jane Brockurst- Art Show during Pistachio Festival November 1st , mural dedication September 30th at 9:00 A.M. and Fitness classes.

Brian Fisher- Historical committee September 28th 6:30 P.M. at The Family Center.

1. Agency Reports *(Included in the Supporting Documents)*
	* + 1. Sheriff Captain Ron Markegard
2. **NCSD Reports** *(Included in the Supporting Documents)*
3. General Manager – GM Vanek
4. Fire Department - Chief Lanier
5. Financial Reports – GM/Treasurer Vanek - Balance Sheet, Budget vs Actuals
6. Directors Comments (1 min.) Yermo Days is November 8, 2025

**Director Matson**: Allegations made against myself, and my family are completely false. Director Unger was the chairman of the civic hub Committee planning 6 years ago, when the proposed property purchase was discussed. Board members, community members, and the Fire chief were part of this committee. The purchase of the property was discussed for years prior to the purchase. Property purchase documents and civic hub documents are all in the office for the public to view. The CSD is fully transparent.

**Director Deel**: comments are attached in supporting documents.

**5. Agenda Items- Discussion/Possible Action**

1. **Shall the Newberry Community Services District Board of Directors Censure Director Unger for the following Reasons?** **Discussion/Possible Action; Submitted by Director Deel**

*Per Webster’s dictionary: “While a vote to censure has no legal ramifications, it is a significant and rare symbolic vote of disapproval”.*

Public Comments -- Board Discussion

* 1. At the board May 15, 2025, meeting where Director Unger was to be censured, Director Unger had a neighbor come and using Director Unger’s video equipment videoed the meeting. The neighbor left the meeting leaving the equipment for Director Unger to bring home.
	2. Censure of Director Jack Unger was done on May 15, 2025 (copy attached). Director Unger continues to violate NCSD policies and the Code of Ethics. At the August 26, 2025 Regular Board Meeting, he again would not respond to the President’s requests. He was using his Director’s office to support an issue he had filed as a resident. He still maintains that he can be both a resident and a director of Newberry Springs at the same time even though we and our attorney have continuously corrected that idea. The President needed to explain why this FPPC issue could not be discussed at this time. Policy 5030.4.3
	3. After filling a complaint with the FPPC naming Michael Matson, Sr., Director Unger at the August 26, 2025 meeting handed out a flier that had libelous and personal information of Michael Matson, Sr.
	4. Posting accusations on Facebook and over the airways on the Newberry Friends Radio frequency put Michael Matson’s family in harm’s way.
	5. Because of the malicious accusations against M. Matson, his family was put at risk. People would drive by his home and yell at them; people would throw bottles at their yard.
	6. Instead of waiting for a ruling from the FPPC, Director Unger continued to verbally attack M. Matson in public and private.
	7. At the Special Meeting on Friday, August 29, 2025 because approving the agenda would be a conflict of interest for both Director Matson and Director Unger they were asked to recuse themselves and leave the building. Director Matson left the building; Director Unger refused. It was explained to him why it was necessary and the explanation was included in the agenda but Director Unger refused. With sincere apologies to those in attendance, President Deel adjourned the meeting.
	8. As Director Unger left the building; he shouted threats at Director Matson who was still outside not knowing what had happened inside the building.

Motion by **Director Unger;** 2nd by **Director Matson** to Censure Director Unger.

**Vote:** Ayes 4 Directors Deel, Matson, Roberts, Springer

 Noes 1 Director Unger

 Absent 0

1. **Should Director Deel be Sanctioned for Negligence, Breach of Fiduciary Duty and Waste of Public Funds?** **Discussion/Possible Action;** **Submitted by Director Unger**

Public Comments -- Board Discussion

President Deel supported and allowed a CSD land purchase for $106,930 without first obtaining a professional appraisal to determine the land’s true value. The local Real Estate Broker who last sold the land estimated that the land is worth approximately $45,000. Under President Deel’s leadership, the CSD has wasted an estimated $61,930 of public money.

President Deel, who is responsible for oversight of the Board, is guilty of Negligence, Breach of Fiduciary Duty and Waste of Public Funds. President Deel needs to be sanctioned by the Board to prevent this negligence, this breach of fiduciary duty and this waste of public funds to ever happen again.

Motion made by **Director Unger;** 2nd by **Director Springer** to sanctionDirectorDeel.

**Vote:** Ayes 1 Director Unger

 Noes 4 Directors Deel, Matson, Roberts, Springer

 Absent 0

1. **Rivers, Trails & Conservation Assistance Grant Program – Discussion Possible Action;** Submitted by Directors Matson, Roberts, and GM Vanek. Continued from August 26th meeting.

In October with considerations of the public input NCSD will make determination of which Concept drawing to use as a base for park updates, noting if revisions are to be made. Carlos will integrate changes and produce a finished Concept Drawing plus other information. The final Concept Drawing will be tremendously helpful in applying for grants.

Discussion only, no vote taken.

1. **Search for an Attorney – Discussion Possible Action; Submitted by GM Vanek, Director Deel, and Director Unger. Continued from August 26th meeting.**

As our attorney is stepping down, we are sending out RFPs for a General Counsel. We received a list from the CSDA plus Director Matson made contact with several attorneys at the last CSDA conference.

Discussion only, no vote taken.

1. **Establish Rates for Use of Park and Creating a Park Policy; Discussion Only; Submitted by Director Matson and Director Deel; Continued from August 26th Meeting**

Discussion only, no vote taken.

1. **Cadiz Water Project;** **Discussion Only; Submitted by Director Matson**

Discussion only, no vote taken.

1. **Kickball Update; Discussion Only; Submitted by Director Matson**

The 2025 Kickball Tournament is canceled due to maintenance issues and lighting.

1. **Memorandum of Understanding – Newberry CSD Discussion possible Action; Submitted by Robert Whipple Daggett CSD**

Discussion only, no vote taken.

1. **Approve Bills Paid and Presented; Discussion/Possible Action; GM/Treasurer Vanek.**

Motion to approve Bills paid and presented by **Director Roberts** 2nd by **Director Deel.**

 Vote: **Unanimous.**

1. **Unfinished and New Business**

Parkland Resolution Meeting with Carlos Flores tentatively scheduled for the October 28, 2025 NCSD Meeting

Parkland Implementation Committee named at the regularly scheduled meeting of October 28, 2025

Next Regular NCSD Board Meeting will be held October 28, 2025 at 6pm

Set Holiday Meetings.

Email Carlos to set up CSD meeting for Parkland Grant.

1. **Adjournment**

Motion to Adjourn by **Director Roberts;** 2nd by **Director Matson**.

Motion passed unanimously.

**Meeting adjourned at 8:31 PM.**

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| President Deel Date | General Manager Vanek Date |