

NEWBERRY COMMUNITY SERVICES DISTRICT

Established 1958

Draft Minutes of the Regular Meeting of October 28, 2025 at 6:00 P.M.

After invocation by Robert Shaw, the meeting was called to order at 6:00pm The pledge of allegiance was led by Director Deel

Present were: Directors Deel, Matson, Roberts, And Unger. Director Springer Joined the meeting at 6:15 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 Roberts** to approve the agenda as presented.

Vote- **Unanimous**

2. Approval of Minutes

Draft Board Meeting Minutes of September 23, 2025

Director Deel revised the regular minutes of September 23, 2025, Public comments to correct the spelling of Vickie Paulsen name and change NCSD to NSCSD as suggested by Ted Stimpfel.

Motion by **Director Unger** and 2nd by **Director Roberts** to approve the draft minutes from September 23, 2025, as revised.

Vote: Ayes: 4 Directors Deel, Matson, Roberts, Unger

Noes: 0

Absent: 1 Director Springer

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

A. General Public

- Debbie Shields- Had a great time at the pumpkin patch with her granddaughter. Thank you to the NCSD for your support at the Yermo special meetings last month.
- Brad Forshner- Cadiz Water Meeting had a lot of good info and volunteers to be part of the water committee.

B. Agency Reports (Included in the Supporting Documents)

1. Sheriff Captain Ron Markegard
2. Deputy Eric Mellow

4. NCSD Reports (Included in the Supporting Documents)

- A. General Manager – GM Vanek
- B. Fire Department - Chief Lanier
- C. Financial Reports – GM/Treasurer Vanek - Balance Sheet, Budget vs Actuals
- D. Directors Comments (1 min.) Yermo Days is November 8, 2025

Public/Director Comments:

Director Deel: As NCSD President, I am very aware of the Brown Act and our Board tries to avoid any appearance of violation which is very hard in our small community. Knowing that it was likely that more than 2 Directors would attend the October 20th Chamber Community meeting and that the projects that were going to be discussed would probably end up in some part as NCSD business, I contacted our Attorney to get his direction on how this situation could be handled. His reply was "If individual directors just listen and don't discuss district business then there will not be a problem. However, it is easy to get sideways having a majority present." For instance, if directors start to participate in public comment in the Chamber meeting and there is a majority present, that is a Brown Act violation." Our GM forwarded our attorney's email to all directors. The Directors did not sit together during the meeting to avoid the appearance of collaborating. As the question-and-answer part of the Cadiz presentation progressed, unfortunately, Director Unger did comment and asked questions. When we are able to review the recording of the Cadiz Meeting, we will ask our attorney if or how this will affect our future handling of the Cadiz Project. We also received a letter from a resident requesting a public statement of our commitment of following the Brown Act. Our reply from our attorney will determine future handling of either project covered at the Chamber October 20th Cadiz Meeting.

Director Unger: Welcomes a review of the video recording from the Cadiz water meeting and says his only question to them was about their information being available after the meeting.

Director Springer: Praised our Fire Department on fire safety and containment.

Director Matson: Thanked the Fire Department for a great job on Saturday's fire and for the new paint at fire station. States he will be preparing bullet points on Director Unger's short comings when he was the president, as election approaches.

5. Agenda Items- Discussion/Possible Action

A. **Rivers, Trails & Conservation Assistance Grant Program – Discussion/Possible Action; Submitted by Directors Matson, Roberts, and GM Vanek.** *Continued from September 23rd Meeting.*

With considerations of the public input (survey results attached) NCSD will make a determination of which Concept drawing to use as a base for park updates, noting if revisions are to be made. When Carlos returns from furlough, he will integrate changes and produce a finished Concept Drawing plus other information. The final Concept Drawing will be tremendously helpful in applying for grants. Action is to select the Concept Drawing A or B.

Break – at 6:40PM to look over Park Concept plans A and B and to Celebrate GM Vanek's Birthday. Break ended at 6:58PM.

- Robert Shaw- Concerns on not having enough room for Festival event and suggests walkways to be moved.
- Director Matson- Acknowledged Paul Deel for his time on the project. Figure out parking and having good flow in the park. Having Events, vendors and safety in mind.
- Director Springer- Discussed layout and placement of items in the park, preference on one plan over the other for cost efficiency.
- Director Unger- Questioned which park concept will bring more revenue.

Motion by Director Matson 2nd by Director Roberts to choose concept A for parkland improvements

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

Noes 0

Absent 0

Director Unger Abstains

B. Establish Rates for Use of Park and Creating a Park Policy; Discussion Only; Submitted by Director Matson and Director Deel; Continued from September 23rd Meeting

Tabled until November Meeting so Park Liaison and staff can review.

C. Ballfield Update – Discussion Only.

Submitted by Director Matson and Director Roberts

Discussion only, no vote taken.

- Director Matson- Park and Rec container has been painted as previously approved. Ballfield is being worked on by Brian Vintus who has removed several inches of rock from the field and is being resurfaced with new sand. The area leading up to the fitness park is backfilled with sand to create a ramp. Collecting quotes to refurbish park benches.

D. Further Discussion Regarding Emergency Warning Information, Previously Discussed by Director Unger. Discussion/Possible Action; Submitted by Director Roberts

Discussion only, no vote taken

- Director Roberts- Suggests the need for a local alert system, concerns about lithium batteries going into solar fields.
- Director Springer- Discussed Solar Warning System and incident reports. Suggest writing a letter to San Bernardino County and to get more information.
- Director Unger- Discussed possible options for emergency alerts.
- Fire Chief Lanier- Works closely with Sheriff Department to determine if any evacuations are necessary.
- Ted Stimpfel - Suggested sending a letter to Clearway for release of liability.

E. Review the Progress of the Grant-Writers in Obtaining a Grant for a Building on the Newly Acquired CSD Property, Discussion/Possible Action; Submitted by Director Unger

When initially approved, the CSD specified that a two-month review of the grant-seeking process would be conducted. It is now time (and possibly past time) to conduct this review and to advise the Board and the public of the results from the company that has been hired to seek these grants.

Discussion only, no vote taken.

Grant Services have been put on hold until more grants become available, possibly by February 2026. We will continue to search for Fire Department and park grants in the meantime.

F. Cadiz Water Project, Discussion/Possible Action.

Submitted by Director Deel and Director Matson

Deel- IF the Cadiz Water Project is successful, Newberry Springs could benefit from their pumping water from Fenner Gap through Newberry Springs to Barstow, Victorville and beyond. We just have to figure out how. CEO Susan Kennedy has said their “technical” person is available to help us figure out how we could benefit. We need to figure out how before a MOU can be signed with Cadiz. After the presentation Monday, I spoke with the Geohydrologist and The General Manager of the Fenner Gap Mutual Water Company. We have their contact information and now we need an NCSD committee to meet with them to see which possibilities would work. It isn’t going to be easy as we have no central water system that delivers water since we are all on our individual wells. We are hoping for some free water, but some water may have to be purchased water at no cost of delivery. If you are willing to serve on this committee, please contact our GM Kayleen Vanek by email that gives your experience you feel qualifies you for this project. There will also be 1 or 2 directors – who will not be paid to attend the meetings -- on this committee. I would like a motion to move forward with the committee as suggested above.

Matson- Would like to work with staff to write a letter to Cadiz to bring in a filtration system to the Newberry Elementary School and Fire Department.

Motion by Director Deel 2nd by Director Springer to move forward with an Adhoc committee of unpaid resident volunteers and 1-2 unpaid Directors.

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

Noes 0

Absent 0

Unanimous

Motion by **Director Matson** 2nd by **Director Roberts** to approve CSD Staff to write a letter to the head of operations at Fenner Gap to inquire about a water treatment system for Newberry Elementary School, Fire Department and Silver Valley School District.

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

Noes 1 Director Unger

Absent 0

G. Schedule Holiday Meetings- Discussion/Possible Action.

Submitted by Director Deel

November 18th and December 16th were proposed.

Motion by **Director Unger** 2nd by **Director Roberts** to approve Holiday Meeting dates November 18th and December 16th

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

Noes 0

Absent 0

Unanimous

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

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

Vote: **Unanimous**.

7. Unfinished and New Business

Parkland Implementation Committee named at the regularly scheduled November meeting.

November 18th next meeting.

8. Adjournment

Motion to Adjourn by **Director Unger** 2nd by **Director Roberts**.

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

Noes 0

Absent 0

Vote: **Unanimous**

Meeting adjourned at 8:56 PM.

The next Regular Meeting is scheduled for November 18th 2025

President, Paula Deel

Date

General Manager, Kayleen Vanek

Date