

NEWBERRY COMMUNITY SERVICES DISTRICT

Established 1958

DRAFT MINUTES FOR JUNE 30, 2023 SPECIAL MEETING

After an invocation by Director Unger, the meeting was called to order at 4:20 P.M by President Unger. Pledge of Allegiance was led by Engineer Lanier.

Present: Director Deel, Director Matson, Director Roberts, Director Unger

Absent: Director Springer

Motion by Director Roberts to approve agenda as presented; 2nd by Director Deel

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

Noes 0

Unanimous - Absent: Director Springer

Public Comments: *No Public Comments.*

Agenda Items- Discussion/Possible Action

- A. Review and Approval of FY2023/2024 Budget Discussion/Possible Action, Proposed by Budget Committee – Temp. CSD Admin Lanier, Directors Deel & Roberts

Motion by Director Deel to adopt the FY2023/2024 Budget as presented; 2nd by Director Roberts

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

Noes 0

Unanimous - Absent: Director Springer

Note: Director Springer joined the meeting at 3:45 P.M.

- B. Transfer of money from Reserve Accounts to Sub Account 120.2 Fire Engine Purchase (General Fund – No Interest) or 118 Fire Department Reserve (3.75 Interest)

Proposal is to transfer \$85,000 from Park & Rec Reserve Fund (account 116), \$85,000 from Admin/Build Fund Reserve (account 117), and \$85,000 from Fire Department Reserve (account 118) to General Fund sub-account to fund purchase of a Fire Engine.

Motion by Director Roberts to transfer Reserve funds as presented and sign contract and pay the 20% down payment towards the purchase of Fire Engine as presented; 2nd by Director Matson.

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

Noes 0

Unanimous

Motion by Director Springer to adjourn; 2nd by Director Roberts

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

Noes 0

Unanimous; Meeting was adjourned

President Jack Unger

Acting Secretary Paula Deel, Vice-President

NEWBERRY COMMUNITY SERVICES DISTRICT

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DRAFT MINUTES OF THE JULY 25, 2023 MEETING, AT 6:00 P.M.

Meeting called to order- at 6:04 P.M. by President Jack Unger.

Pledge of Allegiance led by Robert Shaw.

Roll Call: Present: Director Deel, Director Matson, Director Roberts, Director Unger
Absent: Director Springer

1. Approval of Agenda

Motion by Director Matson to approve Agenda as presented; 2nd by Director Roberts

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

Noes 0

Absent: Director Springer

Unanimous

2. Approval of Minutes

- A. Special Board Meeting Draft Minutes 6/27/2023
- B. Regular Board Meeting Draft Minutes 6/27/2023
- C. Special Board Meeting Draft Minutes 6/30/2023 – Tabled to August Regular Meeting
- D. Special Board Meeting Draft Minutes 7/12/2023
- E. Special Board Meeting Draft Minutes 7/17/2023

Motion by Director Deel to table Special Board Meeting Draft Minutes 6/30/2023 due to lack of adjournment time and accept other four draft minutes as presented; 2nd by Director Roberts

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

Noes 0

Absent: Director Springer

Unanimous

2. 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 Paul Deel related having key pad issues that would not unlock building for meeting; Jane Brockhurst said she had no problems when she used building. Mark Staggs warned on contractor T. Novel not following through on work paid for. Ted Stimpfel reported that the supplemental documents for tonight's meeting were not posted on the website. That makes it difficult to prepare for the meeting.

B. Community Reports-

- 1. County Supervisor-Elaine Villareal - None
- 2. Sheriff Captain Ron Markegard – Still having computer issues. Gave Verbal report. Jane Brockhurst asked him to find out for us what the INS is doing in our area.

3. CHP - None

3. Reports

- A. General Manager – Swearing in of new NCSD General Manager Kayleen Venat *Corrected*
- B. Temporary CSD Administrator – Daphne Lanier, Report attached
- C. Fire Department - Chief Lanier, Report Attached – Still looking for Fire Engine
- D. Financial Reports – Temporary CSD Administrator – Reports Presented
- E. Air Quality Monitors - Director Unger – Report Given; Ted Stimpfel requested instrumentation that would record smaller particles than the Purple Air is capable of doing; Director Deel asked if it was time to address the issued with the AQMD again then Supervisor Rowe as more permits are being applied for in that area. The Board agreed. Director Unger asked if another Director would like to work with him on this and Director Roberts volunteered.

4. Agenda Items- Discussion/Possible Action

A. **Scoreboard Installation Discussion/Possible Action Directors Matson, & Unger**

Update and Board Consideration of Scoreboard Consulting Invoice

MAR Construction has submitted an invoice for “consulting” after discussing a proposed park scoreboard construction revision with Directors Unger and Matson. The Board will consider whether to pay or reject this invoice. Was there any mention of the “Consulting Fee” before MAR talked to the engineer etc.? No; It was MAR Construction’s change to the installation that required the discussion.

Motion by Director Matson to deny invoice from MAR Construction and send a letter stating reason; 2nd by Director Roberts.

Vote: Ayes 4 Directors Deel, Matson, Roberts, Unger
Noes 0
Absent: Director Springer
Unanimous

B. **Sign for Fitness Park, Discussion/Possible Action, Director Matson and Temp. CSD Admin Lanier – Update – Director Matson**

Suggestion of putting a sign at the corner of National Trails and Newberry Road. CSD to check it out.

C. **Consideration of the 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 Report from Committee: Application due August 1st.**

The Board will review, revise and consider approval of the TCC Grant application as presented by the Board’s TCC Standing Committee

Directors: Please READ THIS IN ADVANCE and use a red pen to mark all of your desired additions, corrections and deletions IN ADVANCE OF THE BOARD MEETING because you will not have time to 1) read it, 2) write your desired changes, and 3) discuss your changes during the Board meeting. Board meeting time will be needed to

be devoted to DISCUSS your changes and agree on a final version to be submitted for a grant.

Discussion.

Motion by Director Deel to schedule a Special Meeting on 7/28/23 at 10am to go through the proposal and then a Special Meeting on July 31 at 10am with Rose Beardshear – both public meetings; 2nd by Director Matson.

Vote: Ayes 4 Directors Deel, Matson, Roberts, Unger
Noes 0
Absent: Director Springer
Unanimous

D. Revision of Policy 2300 “General Manager Job Description” Discussion/Possible Action Director Unger

The Board will consider adding a required list of training classes to the General Manager Job Description.

We had this discussion before about putting the training in the Job Description and agreed it was not the place for it. Maybe a separate Policy?

2300.1.2 Discussion of removing “and the Board of Directors” on the 2nd line and 2 other changes in same paragraph

Item was tabled until August Regular Meeting

E. Proposed Policy 2020 Vacations. Discussion/Possible Action Director Deel
Policy from the CSDA Manual have been included for reference

Item was tabled until August Regular Meeting

F. Proposed Policy 2025 – Sick Leave, Discussion/Possible Action Director Deel

State Labor Code says we must provide Sick Leave for all our employees. It is better for us if we provide 24 hours at the beginning of each year for both tracking and removing the buyback option. Policy attached.

Approve as corrected and presented.

Motion by Director Roberts; 2nd by Director Matson

Vote: Ayes 4 Directors Deel, Matson, Roberts, Unger
Noes 0
Absent: Director Springer
Unanimous

G. Proposed Policy 3122 – Hours of Work and Overtime, Discussion/Possible Action, Director Deel

See Labor Code (attached) for confirmation of changes. Policy is from CSDA Policy Manual. We need to clarify what we expect from our employees.

Motion to accept as presented and corrected.

Motion by Director Roberts; 2nd by Director Matson

Vote: Ayes 4 Directors Deel, Matson, Roberts, Unger
Noes 0
Absent: Director Springer
Unanimous

H. Policy to Institute the Using of Liaisons to Assist the GM, Discussion/Possible Action, Director Deel

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 have been doing this for some time – Mike and Jack working on the park getting the scoreboard up and working for the kickball game; Robert helping with the Fire Department; my helping with financials and Policies etc., Margie advising regarding contracting. 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

As our GM and future Secretary achieve more experience there may be less need for the Liaisons.

Motion by Director Matson to approve Liaisons as volunteered and a Policy 2310 will be written; 2nd by Director Roberts

Vote: Ayes 4 Directors Deel, Matson, Roberts, Unger
Noes 0
Absent: Director Springer
Unanimous

I. Installation to Complete the Batting Cage Discussion/Possible Action Directors Matson, & Unger

Proposal #4; As per terms and conditions set forth, we, C & M Fence Company, propose to furnish and install fence as per ground plan and material listed, to be completed in a workmanlike manner for the sum of \$7,628.00.

Motion by Director Matson to accept C&M Fence proposed quote of \$7,628.00 to complete batting cage project; 2nd by Director Roberts

Vote: Ayes 4 Directors Deel, Matson, Roberts, Unger
Noes 0
Absent: Director Springer
Unanimous

5. Approve Bills Paid and Presented Discussion/Possible Action

Tabled until August Regular Meeting.

Note: Legal fees are entered in the P&L Detail (Bills Paid & Presented) with as much information as we are able to provide.

6. Old and New Business

- Provide Public Wi-Fi in the Community Center Building
- Policy stating what the Board does to written public comments
- Cover (canvas) for scoreboard – contact Lisa Stevens 928-246-0733
- Carrying case for scoreboard controls

7. Directors Comments (1 min.)

Director Deel: I am looking forward to working with our new GM and anticipating a Secretary.

Director Matson: Asked if we could move the Directors Comments closer to the beginning of the Agenda as there were only 2 members of the Public left. Consensus of the Board to move Directors Comments to #4.

8. Adjournment

Motion by Director Roberts; 2nd by Director Deel

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

Noes 0

Absent: Director Springer

Unanimous

Jack Unger, President

Paula Deel, Vice President and Acting Secretary

NEWBERRY COMMUNITY SERVICES DISTRICT

Established 1958

DRAFT MINUTES OF SPECIAL BOARD MEETING JULY 28, 2023

The meeting was called to order by President Unger at 10:20 A.M.

Pledge of Allegiance was led by Robert Shaw.

Roll Call: Present: Director Deel, Director Matson, Director Roberts, Director Unger

Absent: Director Springer. NOTE: Director Matson left at 12:15 P.M.

1. Approval of Agenda

Motion to approve the agenda as presented was made by Director Matson; 2nd by Director Roberts.

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

Noes 0

Absent: Director Springer

Unanimous

2. 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.*

Paul Deel: *Goal of Grant should be to make what is here as good as it can be.*

Robert Shaw: *We need control of water and micro elements.*

3. **Director's Comments:** None

4. Agenda Items- Discussion/Possible Action

A. **Consideration of the 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 Report from Committee:
Application due August 1st.

The Board reviewed and revised the TCC Grant application as presented and will send our suggested revisions to Rose Beardshear. We will meet with Rose Beardshear on July 31 at 10am to work through final changes.

5. Director Roberts moved we adjourn; Director Unger 2nd; meeting adjourned at 1 P.M.

Jack Unger, President

Paula Deel, Vice President and Acting Secretary

NEWBERRY COMMUNITY SERVICES DISTRICT

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DRAFT MINUTES OF SPECIAL BOARD MEETING JULY 31, 2023

After an invocation by Director Roberts, the meeting was called to order by President Unger at 10:47 A.M. Pledge of Allegiance was led by Rose Beardshear.

Roll Call: Present: Director Deel, Director Matson, Director Roberts, Director Unger
Absent: Director Springer.

1. Approval of Agenda

Motion to approve the agenda as presented by Director Roberts; 2nd by Director Matson

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

Noes 0

Absent: Director Springer

Unanimous

2. 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.*

3. Director's Comments - None

4. Agenda Items- Discussion/Possible Action

A. Consideration of the 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 Report from Committee:
Application due August 1st.

The Board reviewed, revised, and considered approval of the TCC Grant application with Rose Beardshear and the public.

Break at 1:20 P.M. for lunch; Meeting Resumed at 2:10 P.M.

Motion to accept changes to the TCC Grant application as presented and including changes made during today's meeting was made by Director Matson; 2nd by Director Roberts.

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

Noes 0

Absent: Director Springer

Unanimous

Motion to Adjourn by Director Deel; 2nd by Director Roberts

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

Noes 0

Absent: Director Springer

Unanimous

Meeting Adjourned at 4:16 P.M.

Jack Unger, President

Paula Deel, Vice President and Acting Secretary

POLICY TITLE: Job Description - General Manager
POLICY NUMBER: 2300

2300.1 Description. The General Manager is the Executive Officer of the District. ~~and for the Board of Directors.~~ The General Manager administers the District and has exclusive management and control of the operations and works of the District, subject to approval by the Board of Directors, and provides day-to-day leadership for the District. The General Manager has general charge, responsibility and control over all property of the District.

2300.1.1 The General Manager attends all meetings of the District's Board and such other meetings as the Board specifies from time to time.

2300.1.2 The General Manager employs volunteers and employees as the General Manager ~~and the Board of Directors~~ deems necessary for the proper administration of the District and the proper operation of the works of the District. Compensation shall be set by the Board of Directors. The General Manager ~~shall delegate authority at their discretion and~~ has authority over and directs **activities of all employees and volunteers**, including ~~termination terminating for cause or lack of worthwhile work~~. The General Manager's personnel management goal will be to provide a motivating work climate for District employees.

2300.1.3 The General Manager maintains cordial relations with all persons entitled to the services of the District, attempts to resolve all public and employee complaints, and shall encourage citizen participation in the affairs of the District.

2300.1.4 The General Manager seeks to carry into effect the expressed policies of the Board of Directors, including planning the short, medium and long term work program for the District, facilitating constructive and harmonious Board relations and shall translate the goals and objectives of the Board to the community.

2300.1.5 The General Manager shall manage the District budget, conducting studies, and making oral and written presentations.

2300.1.6 The General Manager shall present a written report at each regular Board Meeting. The report shall include the following:

- a) The current status of all ongoing District projects.
- b) Significant information from all off-site meetings that the General Manager attended during the prior month.
- c) List of all non-confidential correspondence sent to and received from other governmental agencies during the prior month.
- d) A summary of the number of hours worked by all District employment during the prior month.
- e) Any other information that the General Manager deems important for the Board and the public to be made aware of.

This report will be included in the official Minutes of each regular Board meeting.

2300.2 Required Qualifications. The General Manager 1) shall have a minimum of five (5) years of experience in an increasingly responsible public agency management position or similar experience; 2) shall possess a valid California driver's license; 3) ~~shall complete the following California Special District Association (CSDA) training classes within the first six months of employment: a) Ethics AB 1234 Compliance Training; b) Sexual Harassment Prevention Training for Supervisors; c) Best Practices (Finance, Brown Act, CA Public Records Act); d) The Brown Act: Come for the Basics, Stay for the Updates; e) Customer Service Excellence in the Public Sector; f) Records Retention and Management in the Electronic Age.~~ 34) shall annually complete a minimum of 4 hours (or equivalent) continuing education related to the duties of the position.

2300.3 Desirable Qualifications: The ability to efficiently prepare annual budgets and long-term revenue/outlay plans; the ability to effectively communicate, both written and verbal, with the constituents and other agency personnel; and the ability to meet and serve the public courteously and efficiently.

*Revised, Approved and Adopted ~~May 23~~ **July August 232**, 2023*

Revised, Approved and Adopted May 23, 2023

Revised, Approved and Adopted February 22, 2022

Revised, Approved and Adopted April 22, 2014

**CSDA POLICY TITLE: Overview of the General Manager's Role****POLICY NUMBER: 1050**

1050.1 The General Manager is an employee of the District and has an employment agreement which specifies his or her terms of employment. The General Manager is the administrative head of the District under the direction of the Board of Directors. He or she shall be responsible for the efficient administration of all the District's affairs which are under the General Manager's control. The General Manager plans, organizes, directs, coordinates and evaluates all District operations, programs, and resources in accordance with short and long range goals, policy statements, and directives from the Board.

1050.2 The General Manager's Duties

The District's General Manager shall be responsible for:

- a) The implementation of policies established by the Board of Directors for the operation of the District;
- b) The planning, direction, and coordination of the day-to-day operations of the District through the appropriate department heads or managers including administration, financing, maintenance, engineering, human resources, and others to effect operational efficiency;
- c) The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the employment policies established by the Board of Directors;
- d) Attend and participate in District Board meetings, prepare and present reports as necessary, represent the Board before external organizations including other agencies, governmental and regulatory entities, business and community groups;
- e) The supervision of the District's facilities and services; and
- f) The supervision of the District's finances.

1050.3 The District's General Manager serves at the pleasure of the Board. The Board will provide policy direction and instruction to the General Manager on matters within the authority of the Board during duly-convened board meetings. Members of the Board will deal with matters within the authority of the General Manager through the General Manager and not through other District employees. Members of the Board will refrain from making requests directly to District employees (other than the General Manager) to undertake analyses, perform other work assignments, or change the priority of work assignments. As members of the public, Directors may request non-confidential, factual information regarding District operations from District employees. If requesting public records, Directors must follow the District's Request for Public Records Policy.

Item 4D

Agenda Item Vacations – Discussion/Possible Action

Proposed Policies for Vacations. Policies from the CSDA Manual have been included for reference.

POLICY TITLE: Vacations
POLICY NUMBER: 2020

2020.1 This policy shall apply to regular and probationary employees in all classifications assigned a 12 hour work schedule.

2020.2 Paid vacations shall be accrued according to the following schedule on an annual basis:

- a) During the first year of continuous work, and the next four (4) years an amount equal to the amount of time the employee is expected to work during a normal work week.
Example: If the employee works 12 hours per week, then the amount of vacation time earned during the first year is 12 hours.
- b) Six through ten years of service, the employee earns vacation time at the rate the employee is expected to work during a two week period.
- c) **“After ten years of service, the employee earns vacation time at the rate the employee is expected to work during a 3 week period. 12 hours per week = 36 hours vacation.”**

2020.3 Employees who have completed six months in regular status may take their vacation time all at once, or gradually, with the approval of the General Manager. No vacation may be taken until the employee has completed at least six months in regular employee status ~~unless approved by the General Manager.~~

2020.4 Vacation time may **not** be accumulated or postponed. ~~The total accumulated vacation time shall not exceed that amount earned annually by the employee. Only one week of accumulated vacation may be used in addition to regular vacation time during any given year.~~

2020.5 At termination of employment for any reason, the District shall compensate the employee for his/her accumulated vacation time at his/her straight time rate of pay at the time of termination.

2020.6 The District will not require an employee to take vacation time in lieu of sick leave during periods of illness. However, the employee may elect to take vacation time in case of extended illness where sick leave has been fully used. The District will not consider granting a leave of absence for medical reasons until all accumulated sick leave and vacation time have been used.

2020.7 If a holiday falls on a workday during an employee's vacation period, that day shall be considered as a paid holiday and not vacation time.

2020.8 Vacations may be scheduled at any time during the year upon approval of the General Manger.

2020.9 **Vacations are provided by the District to employees as a period of exemption from work with pay for the purpose of rest, relaxation and recreation. This respite is a benefit and is intended as an aid**

in maintaining the long-term and consistent productivity and contentment of the employee. As such, pay in lieu of vacation time away from work shall not be permitted except in situations of hardship. Said pay off shall be submitted for written approval by the General Manager.

Revised, Approved and Adopted August 22, 2023

Revised, Approved and Adopted April 22, 2014

CSDA Policy Manual

POLICY TITLE: Vacations

POLICY NUMBER: 3490

3490.1 This policy shall apply to regular and probationary employees in all classifications.

3490.2 Paid vacations shall be accrued according to the following schedule on an annual basis:

- a) During the first year of continuous work, (____) days;
- b) Two through five years of service, (____) days;
- c) Six through ten years of service, (____) days;
- d) After ten years of service, one additional day of paid vacation for each additional year of service to a maximum of 30 days.

3490.3 Employees who have completed six months in regular status may take their vacation time all at once, or gradually, with the prior written approval of their supervisor. No vacation may be taken until the employee has completed at least six months in regular employee status unless approved by the General Manager in writing.

3490.4 Vacation time may be accumulated or postponed. The total accumulated vacation time shall not exceed that amount earned annually by the employee. Only one week of accumulated vacation may be used in addition to regular vacation time during any given year.

3490.5 At termination of employment for any reason, the District shall compensate the employee for his/her accumulated vacation time at his/her straight time rate of pay at the time of termination.

3490.6 The District will not require an employee to take vacation time in lieu of sick leave during periods of illness. However, the employee may elect to take vacation time in case of extended illness where sick leave has been fully used. The District will not consider granting a leave of absence for medical reasons until all accumulated sick leave and vacation time have been used.

3490.7 If a holiday falls on a workday during an employee's vacation period, that day shall be considered as a paid holiday and not vacation time.

3490.8 Vacations may be scheduled at any time during the year upon written approval of the [PERSONNEL DIRECTOR or other responsible managing employee].

3490.9 Vacations are provided by the District to employees as a period of exemption from work with pay for the purpose of rest, relaxation and recreation. This respite is a benefit and is intended as an aid in maintaining the long-term and consistent productivity and contentment of the employee. As such, pay in lieu of vacation time away from work shall not be permitted except in situations of hardship or accumulation in excess of (____) hours. Said pay off shall be submitted for written approval by the General Manager.