

NEWBERRY COMMUNITY SERVICES DISTRICT

Established 1958

Draft Minutes of the Regular Meeting of December 19, 2023, AT 6:00 P.M.

After an invocation by Director Unger the meeting was called to order at 6:28pm by Board President Unger. Pledge of Allegiance was led by Ted Stimphel.

Present were: Directors Deel, Roberts, Springer, and Unger.

Absent: Director Matson

Also Present: General Manager/Treasurer Vanek; Fire Chief Lanier; Assistant Fire Chief Rogers, Engineer Lanier, Captain Markegard, and members of the Public.

Director Matson arrived at 6:32pm.

1. Approval of Agenda

Two items to be added to agenda:

6B Approval of Repair of the front Fence/Gate; Discussion and Possible Action; General Manager/Treasurer Vanek

6C Approval of Purchase of Fire Engine; Discussion and Possible Action; Fire Chief Lanier

I know that moves everything down on #6 Agenda Items but I thought it best to have these 2 items early so our public would sure to be here and could comment.

Moved to accept the agenda with the addition of items 6B and 6C;

Motion by Director Roberts and 2nd by Director Unger to accept the agenda as revised.

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

Noes 0

Absent: 0

Unanimous

2. Approval of Minutes

A. Regular Board Meeting Draft Minutes 9/26/2023 & 11/28/2023

The minutes of 9/26/2023 & 11/28/2023 have been distributed; are there any corrections to the 9/26/23 minutes?

Are there any corrections to the 11/28/23 minutes? Item 10 Adjournment: after 10:16pm delete "cept Policy 1000 as presented".

Comment from the public (Ted Stimphel that the minutes of November 28, 2023 have not been posted.)

Minutes of November 28, 2023 are tabled until January's meeting.

Motion by Director Matson and 2nd by Director Springer to accept the 9/26/2023 minutes as presented.

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

Noes 0

Absent: 0

Unanimous

3. Swearing in of District Secretary Marchelle Hall by President Unger.

4. **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 Acting Secretary by or at meeting time).*

A. General Public

B. Community Reports- County Supervisor Rowe-Elaine Villareal, Representative
Nothing to Report affecting this area and things have slowed down in the County.

C. Sheriff - Captain Ron Markegard-Gave verbal report

D. CHP None-

5. **Reports (to be included in the Minutes or Supporting Documents written Reports must be submitted to GM or Secretary)**

A. General Manager – GM Vanek – *See Supporting Documents*

B. Fire Department - Chief Lanier – *See Supporting Documents*

C. Financial Reports – GM/Treasurer Vanek - *Balance Sheet, Budget vs Actuals*

D. Air Quality Monitors - Director Unger – *Verbal Report Given*

E. Directors Comments (1 min.) *Verbal Reports Given*

Director Deel: Larry and Madelyn Gornell asked me to express their thanks to the Fire Department’s response to their 911 call for cardiac arrest. Quick CPR saved Larry’s life. He is recovering.

Recess at 7:27pm Meeting called back to order at-7:35pm All directors present.

6. Agenda Items- Discussion/Possible Action

A. **Policy 5010.5 Annual Organizational Meeting.** The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. At this meeting the Board will elect a President and a Vice President from among its members to serve during the coming calendar year.

i. President – Nominations: Director Matson nominated Director Deel; Director Springer nominated Director Springer

Vote: Director Deel 4 Directors Deel, Matson, Roberts, Unger
Director Springer 1 Director Springer
Absent: 0

i. Vice President – Nominations: Director Roberts nominated Director Matson; Director Springer nominated Director Springer

Vote: Director Matson 4 Directors Deel, Matson, Roberts, Unger
Director Springer 1 Director Springer
Absent: 0

B. **Approval of Repair of the front Fence/Gate; Discussion and Possible Action; General Manager/Treasurer Vanek**

Motion by Director Matson and 2nd by Director Roberts to approve \$2,900 to repair front entrance to park.

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

Noes 0
Absent: 0
Unanimous

**C. Approval of Purchase of Fire Engine; Discussion and Possible Action; Fire Chief Lanier
Cost \$150,000**

Motion by Director Springer and 2nd by Director Roberts no further authorization for payment needed.

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

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

We will review where the District stands regarding implementation of the recommendations of the 2012 Grand Jury Report, including the status of the review of the adequacy of the District's accounting procedures as performed by the Eide Bailly accounting firm. Eide-Bailly to have report in January.

No Action taken.

E. Revision of Policy 3080 Purchasing, Discussion/Possible Action; Director Springer

- a. Updating Policy 3080 to require reason for purchase, signatures and dates to complete the approval. To include additional consideration for Fire Chief Spending, Director Springer is to include additional revisions.
- b. Discussion – Consensus for Staff to revise and create forms showing Approval or denial with signatures, dates, description, line item #. With invoices, receipts, emails etc.

Motion by Director Roberts and 2nd by Director Unger to approve Policy 3080 Purchasing as revised.

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

F. Revision of Policy 3040 Expense Authorization; Discussion/Possible Action; Director Springer

Updating Policy 3040 to require reason for purchase, signatures and dates to complete the approval. Board decided to revisit this at November's Meeting. Director Springer to revise. No Vote taken.

Discussion – Consensus for Staff to revise and create forms showing Approval or denial with signatures, dates, description, and line item #. With invoices, receipts, emails etc. They have completed this.

Motion by Director Roberts and 2nd by Director Matson to approve Policy 3040 as revised.

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

G. Update Policy on Sick Leave; Discussion/Possible Action; Director Deel

California changed the required days/hours of sick leave.

Link for full law: https://www.dir.ca.gov/dlse/Paid_Sick_Leave.htm

Motion by Director Roberts and 2nd by Director Springer

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

Noes 0

Absent: 0

Unanimous

H. Revision of Policy 3090 Records Retention; Discussion/Possible Action; Director Deel

Last Revised April 22, 2014. The purpose of this policy is to: provide guidelines to staff regarding the retention or disposal of District records; provide for the identification, maintenance, safeguarding and disposal of records in the normal course of business; ensure prompt and accurate retrieval of records; and, ensure compliance with legal and regulatory requirements.

Board voted to have the NCSD Policy 3090 updated with CSDA Policy 2145 on the December Agenda.

Motion by Director Roberts and 2nd by Director Matson to accept Policy 3090 as revised.

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

Noes 0

Absent: 0

Unanimous

I. Scoreboard Cover & Solar Update, Discussion/Possible Action, Director Matson

No action taken.

J. Solar Projects Inquiry to Supervisor Rowe; Discussion/Possible Action, Director Unger

Following up from October Board letter regarding permitting of solar field zoning within and between Newberry homes; should the CSD (2 Directors) schedule a meeting with the Supervisor? At the 11/28/23 meeting after discussion, Board directed Staff to send the letter to Supv. Rowe's assistant. Any response?

No response from Supervisor Rowe's office. No action

K. To Facilitate the Purchase of a Fire Engine and _____ an Appeal to Community and Others for Donations Submitted by Director Deel and Fire Chief Lanier; Discussion and Possible Action

- 1) Establish an account with Silver Valley Fire Alliance (501c3) to receive donations.
- 2) Establish a subaccount to the Fire Department's Reserve Account for Equipment Replacement.? Deposit all donations to this sub-account.
- 3) If the General Fund allows; Move ½ \$ from the General Fund Fire Engine sub account to FD Reserve sub-account to accrue interest. Deposit all donations to this sub-account.
- 4) If funds from Prop 172 are available from San Bernardino County, deposit them to the Reserve sub-account.

Tabled to January's Regular Meeting

L. Fire Dept. Administrator to Return to Normal Duties; Submitted by Director Matson for Discussion and Possible Action

The Board wishes to thank the Fire Department Administrator for her service as Temporary Office Assistant since May of 2023. The Board now authorizes and directs that the Temporary Office Assistant function be terminated and that the Fire Department Administrator return to her normal duties at the Fire Department on the same work schedule as existed before May 2023.

Tabled to January's Regular Meeting

M. Dedication of Ballpark; Submitted by Director Roberts; Discussion and Possible Action

We have to keep in mind those who have gone before. Eric Archibec led the first restoration from graded desert to a playing field with help from Elementis and sod Eric salvaged from Dodger stadium's restoration. He organized Little League baseball for many years. The Legion and Roger Watson built the bleachers. So we need to keep that in mind as we discuss this so we don't offend some in our community. Perhaps an "Honorary Mention Plaque" could acknowledge each major contributor without seeming to slight those who built the park originally as they are still in Newberry.

We are grateful and admire Director Matson's rebuilding of the ballpark and his organizing the Kickball Tournaments the last 2 years and look forward to his next steps for our park.

Tabled

N. Senate Bill 553 (Cortese): Employers must adopt a workplace violence prevention plan and maintain a violent incident log

This bill requires all employers to adopt a comprehensive prevention plan with specific requirements for the procedures that employees should follow to prevent, avoid, respond to, and report incidents of workplace violence.

Who would like to research this and bring a policy back to us? Director Springer volunteered to research for this new policy.

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

Motion by Director Roberts and 2nd by Director Springer to approve Bills Paid and Presented.

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

8. Old and New Business

Have Staff contact attorney re: Howard vs NCSD to see if we need to schedule a closed session with the attorney in January.

January Agenda: July 3rd Event; Closed Session for SDRMA

February Agenda: Budget for 2024/2025

9. Adjournment

Motion by Director Matson and 2nd by Director Roberts to adjourn the meeting.

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

Unanimous
Meeting adjourned at 9:25pm.

Paula Deel, President

Date

Kayleen Vanek, General Manager/Interim Secretary
Date