

Saratoga Cemetery District
Board of Trustees
Minutes – September 16, 2009
Multi-Purpose Room, Oak Street School
14592 Oak Street, Saratoga, CA 95070

1. CALL TO ORDER:

1.1 Meeting called to order at 5:00 p.m. by Chairwoman Victoria Bosworth.

2. ROLL CALL:

2.1 Trustees present: Victoria Bosworth, Jim Sorden, Gregory Fox and Jane Hopkins.
Trustee absent: Judy Johnstone. Staff present: Gary Reed and Tim Zadel.

3. APPROVAL OF MINUTES OF LAST MEETING:

3.1 Jane Hopkins asked that sentence five of Item 10.4 be changed to read “Jane stated that she believed the Assistant Manager had improperly given a legal opinion in the form of an email to Kathleen King, City Council member.”

Jane Hopkins said that the last sentence of “Item 6.1 d)” was not discussed at the last Board meeting and should be removed from the minutes. Staff said that they did report the item and since the meeting was recorded there is a record of it. The Board asked John Teeter if he could provide a copy of the recording of the August Board meeting. Mr. Teeter said that he could.

Jane Hopkins asked that the first two sentences of Item 9.2 be changed to read “The Board acknowledged receipt of the “Summary of the Public Input Meeting Questionnaire” provided by Dan Cable of EDA Land Planning. The general consensus is that the cemetery should develop its undeveloped areas similar to the existing developed areas.”

Jane Hopkins asked that the following words be added to the end of the first sentence of Item 10.1, “because the Board was not provided with the specifications that were bid on”.

It was reported that Judy Johnstone also had a change to Item 10.4 in the minutes – continued to next Board meeting.

4. PUBLIC PARTICIPATION:

4.1 Seven members of the public attended the meeting.

5. AGENDA CHANGES:

5.1 None.

6. COMMUNICATIONS:

6.1 Written: Staff presented:

a) A letter from Rabbi Lisa Levenberg stating that it had come to the attention of the Cantors and Rabbis Association of Greater San Jose that the Board had adopted a new regulation prohibiting the placement of rocks on markers and monuments. Her letter refers to the addition of rocks to the list of prohibited items in the “Flower Policy”.

b) An email from auditor Paul Kaymark stating that Board members should be treated

9/16/09

as employees of the District for income tax, social security and Medicare purposes.

As employees they should use W-4's to control withholding and have income reported on W-2's instead of 1099's. The Board asked staff to contact Saratoga City Manager Dave Anderson to inquire how the City of Saratoga handles compensation for City Council members.

c) Jane Hopkins read a letter from Judy Johnstone and herself, and summarized the attachments to the letter. The letter included recommendations for the Board to adopt policies concerning communications which will be dealt with under Item 9.8. See letter for full text.

d) Three call notices and three buy notices from Wells Fargo Advisors for bonds held in the District's investment portfolio.

6.2 Oral: Jane asked about a letter included in the packet by Administrative Assistant Maria Harrington. The letter dealt with two veterans markers that arrived damaged or poorly made. The family decided to buy a commercial marker from a monument company rather than deal with the VA again.

7. CONTRACTORS AND PURVEYORS ATTENDING:

7.1 None

8. GROUNDSKEEPING AND MAINTENANCE REPORT:

8.1 Staff reported that:

a) The office alarm was set off this past Saturday. When the manager arrived at the office he found the fire department had set off the alarm when they came to pick up the Model A fire engine for an event. Staff silenced the alarm.

b) Attempts to contact elder Chang of the Home of Christ Church concerning the utility easement for the well have not been successful. Staff will keep trying.

c) Augie Guardino of Guardino Well Drilling has the small pressure tank and other parts that need to be connected to the well head. He will be completing that portion of the work in the near future.

d) Santa Clara Valley Water District will provide the meter for the well for free – Augie Guardino will install the meter.

e) The party that requested permission to place bluebird houses in the cemetery will camouflage them with paint to make them less visible.

9. CONTINUING BUSINESS:

9.1 Staff reported annual returns on the District's four investment accounts: Pre-Need 4.72%, Land Acquisition & Capital Improvements 3.99%, Endowment Principal 4.61%, Endowment Interest 4.87%.

Staff reported that the State will be taking \$52,032 in District property tax revenue during the current fiscal year. California Communities is offering a Prop 1A Securitization program where state agencies can sign up and receive the full amount of the tax revenue shifted to the state paid on the normal schedule. Bonds would then be sold to pay for the program at no expense to the state agencies. An email from auditor Paul Kaymark recommends signing up for the securitization program and taking the money rather than waiting for three years and taking your chances on getting the money. Jim Sorden made a motion to sign up for the

9/16/09

9.1 Continued:

Securitization program and take the money now. Second by Greg Fox. Vicky Bosworth voted yes. Jane Hopkins voted no. The motion passed.

9.2 Staff provided two rudimentary drawings for the possible location of roads into the undeveloped area on the west side of the cemetery. Staff reported that the area will need to be surveyed, blocks and plots laid out, trees planted, irrigation and lawn installed. After discussion, Greg Fox offered a modified drawing of the cul-de-sac option that extends further into the undeveloped area.

Jim Sorden moved to accept Greg's modified drawing as a rough guideline to move forward with, and that the District hire a landscape architect to provide drawings. The directions to the landscape architect should include directives that the road stay away from the property line fence with adjacent residences as much as possible and that the road extend far enough into the property to minimize walking distance. Second by Greg Fox Unanimous.

Jane Hopkins located a master plan on-line for the cemetery in Davis, CA. She requested that the plan be included in next months board packet.

9.3 The Board agreed to remove the prohibition for rocks from the flower policy but for staff to continue the current practice of picking up rocks. The prohibition against glass vases was also moved to the list of prohibited items.

9.4 Vicky Bosworth presented several policy changes that she and Greg Fox had worked on:

The Board conducted a reading of A.R. 205 "Agenda Procedure". Jane Hopkins asked that "Written Communications" be added as item 8. Continued to next Board meeting.

The Board conducted a reading of A.R. 201 "Board Officers". After discussion A.R. 201 was withdrawn.

The Board conducted a first reading of B.P. 201 "Board Meetings". One change was made to the policy, that the effective date of January 1, 2010 be added. Continued to next Board meeting.

The Board conducted a reading of A.R. 408 "Investment of Fund Revenues". Jane Hopkins moved to approve A.R. 408 as read. Second by Greg Fox. Unanimous.

The Board conducted a first reading of B.P. 102 "Board Legal Status". A second reading will be conducted at the next Board meeting.

Vicky Bosworth submitted B.P. 208 "Referral Requests" for the Board to consider at a future date.

The Board conducted a reading of Board Policy 404-1 "Accountant". Jane Hopkins asked that it be changed to read "Accountant or Bookkeeper". Continued to next Board meeting.

9.5 Discussion of bidding policy for large projects continued to next Board meeting.

9.6 The Board discussed changes to B.P. 504 "Markers and Monuments". The Board agreed that wording be added to the policy concerning the temporary removal and replacement of monuments to facilitate work. Similar wording will also be added to the "Policies and Regulations". Continued to next Board meeting.

9.7 The Board discussed the purchase of a recording device to record Board meetings. Jim Sorden said that he had good experience with the poly-recorder system and recommended that staff rent recording devices to try out at Board meetings.

9.8 Jane Hopkins read a motion on oral communications to be included with the Board packet. Second by Vicky Bosworth. Unanimous.

Jane Hopkins read a second motion on written communications to be included with the Board packet. Second by Greg Fox. Unanimous.

9.8 Continued:

Jane Hopkins read a third motion that two copies of the board packet be brought to the Board meetings to be available to the public. Vicky Bosworth said that a vote was not necessary and just make it a directive to staff.

9.9 Discussion of adopting a policy on not considering concerns or issues raised anonymously continued to next meeting.

9.10 Staff presented three bids for connecting the new well to the existing water system:

West Valley Construction	\$91,555.00
Preston Pipelines, Inc.	\$97,736.00
Pacific Underground Construction	\$100,825.00

Greg Fox moved to accept the bid from West Valley Construction for \$91,555.00. Second by Jim Sorden. Vicky Bosworth voted yes, Jane Hopkins voted no. The motion passed by majority vote.

9.11 Record keeping protocol continued to next meeting.

9.12 Board member access to personnel records continued to next meeting.

9.13 Employee 457 annuity plan continued to next meeting.

9.14 Greg Fox moved to approve merit pay in the following amounts:

Gary Reed	\$2,000
Tim Zadel	\$1,500
Maria Harrington	\$750

Second by Jim Sorden. Vicky Bosworth voted yes, Jane Hopkins voted no. The motion passed by majority vote.

9.15 Staff did not request any increase in salary or benefits this year. Greg Fox moved to continue the current pay/benefits schedule as is. Second by Jane Hopkins. Unanimous. Greg Fox made a motion for the Board to review the pay and benefits. Second by Jane Hopkins. Unanimous.

10. NEW BUSINESS:

10.1 The Board directed staff to always put their name on emails.

11. CLOSED SESSION:

11.1 None Scheduled.

12. BOARD SIGNATURES:

12.1 Board signed Certificates of Ownership of Burial Rights and checks.

13. ADJOURNMENT:

13.1 Meeting adjourned at 7:35 p.m.

Gary T.S. Reed, General Manager

Victoria Bosworth, Chairman

James Sorden, Vice-Chairman

Judy Johnstone, Financial Officer

Gregory T. Fox, Trustee

Jane Hopkins, Trustee

9/16/09