

Saratoga Cemetery District
Board of Trustees
Minutes – March 11, 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 Chairman Victoria Bosworth.

2. ROLL CALL:

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

3. APPROVAL OF MINUTES OF LAST MEETING:

3.1 Greg Fox moved to approve the minutes of the last meeting as mailed. Second by Judy Johnstone. Unanimous.

4. PUBLIC PARTICIPATION:

4.1 Thirteen members of the public attended the meeting.

5. AGENDA CHANGES:

5.1 None.

6. COMMUNICATIONS:

6.1 Written: Staff presented:

a) One call notice and three buy notices from Wachovia Securities for bonds held in the District's investment portfolio.

b) An engagement letter from auditor Charles Z. Fedak & Co. with a proposal for the 2008-09 fiscal year audit. The amount of the proposal is the same as for the previous year.

Jane Hopkins said that she would like letters from vendors, etc. to be included in the Board packet.

6.2 Oral: None.

7. CONTRACTORS AND PURVEYORS ATTENDING:

7.1 None

8. GROUNDSKEEPING AND MAINTENANCE REPORT:

8.1 Staff reported that:

a) A syringe was found on the cemetery grounds.

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8.1 Continued:

b) Steve Smith of PG&E said it could be as long as four to seven months for approval of electrical hookup for the District's new well. Staff urged him to expedite the process if possible.

c) Staff met with Kevin Pearson, Vice-President of Operations for Jensen Landscape, to discuss management's letter concerning contract performance. Some improvement in performance has already been observed.

9. CONTINUING BUSINESS:

9.1 Staff reported that the return on investment for the District's new Land Acquisition and Capital Improvements fund with Wachovia is 3.95%. Return on the District's other three investment funds with Wachovia range from 4.89% to 5.18%.

9.2 Jane Hopkins reported that Dan Cable of EDA Land Planning expects to have the land survey and geotechnical report next week. She further mentioned Jill Hunter's former request that the cemetery obtain arboretum status. Judy Johnstone asked Jill Hunter what granting arboretum status means. Jill replied that the trees would be labeled with name and type of tree.

Jane had solicited input from the other Board members for their ideas for the master plan. Those ideas included:

Sketching out the remaining undeveloped areas similar to what is already developed.

Plans for land cemetery doesn't currently own.

A 100 year plan, better idea of how long we can go before needing more space.

Do we close the cemetery when full or try to acquire more land.

Keep the cemetery attractive and calming, in keeping with the current setting.

Remodel office/building area, more green, solar?

How can we use space more efficiently.

Water efficiency.

Assure we are meeting the needs of all cultures in the community.

Manager's long range plans that would affect the house

9.3 The Board conducted a second reading of Board Policy 201 "Board Meetings". No changes were made to the policy. Greg Fox moved to approve BP 201 as read. Second by Judy Johnstone. Unanimous. Revised Board Policy 201 adopted by the Board.

The Board conducted a first reading of Board Policy 202 "Executive Sessions". No changes were made to the policy. A second reading of B.P. 202 will be conducted at the April Board meeting.

Judy Johnstone presented Board Policy 412 "Purchasing Policy". The Board approved increasing some of the dollar amounts in the policy. The Board conducted a first reading of B.P. 412 with the new amounts. A second reading of B.P. 412 will be conducted at the April Board meeting.

9.4 The Board reviewed the duties of the Financial Officer written by Vicky Bosworth.

Jane

Hopkins said that she thinks the duties sound good as written. The Board agreed that the Board member title should be changed from Treasurer to Financial Officer with the duties as presented. The Financial Officer will also serve as one of the two Board members on the Ad Hoc Audit Committee; Jane Hopkins volunteered to be the other member of the committee. Greg Fox moved that the Board accept the change in title and duties for the Financial Officer. Second by Jane Hopkins. Unanimous. Staff will write a Board Policy detailing the Board's decision.

9.5 The Board packet contained a letter from State Controller Bill Lockyer that is posted on the LAIF web site. The letter states that monies deposited with LAIF are protected under

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statute from loan or seizure from the State or any of its agencies. Also, any agency with

funds deposited in LAIF may withdraw its deposits on demand. Judy Johnstone moved to transfer \$500,000 from the County to LAIF. Second by Jane Hopkins. Unanimous.

9.6 Consideration of changing the Board meeting time was continued to next month so that Jim Sorden can be present and participate in the discussion and decision.

10. NEW BUSINESS:

10.1 Staff provided Board members with a copy of a letter from Nicholas Marafino along with copies of the purchase contracts for the burial rights that he and his sister purchased. Mr. Marafino has requested a refund of the non-resident fee for his sisters interment. Staff explained that Mr. Marafino's sister was a non-resident and that her only eligibility for interment at Madronia Cemetery was her familial relationship to a resident. The purchase contract and the District's Policies and Regulations inform the purchaser of the Health & Safety Code regulations regarding eligibility and the non-resident fee requirement. After discussion the Board determined that the circumstances did not warrant a refund. Staff will notify Mr. Marafino of the Board's decision. The Board also discussed guidelines for waving the non-resident fee for long time residents who move out of the district prior to death. Staff will draft guidelines for the Board to review.

10.2 John Teeter presented a request for a letter from the Board of Trustees stating that the Board would not object to his property designation being changed from quasi-public use to residential in the City General Plan. John stated that the property was zoned R-1 in 1978 but was subsequently changed in the General Plan without any notification to the family. The City has no record of when his property was first designated as quasi-public use; it first appears on a map in 1987.

Bill Brown said that he wants to preserve the neighborhood as it is without a larger cemetery presence on Oak Street.

Jane Hopkins stated that this has been going on for almost two years and the Teeters need an answer.

Vicky Bosworth said that the full Board should be present for this decision. The Board will make a decision at the April Board meeting.

10.3 Judy Johnstone asked the Board members if they wanted emails addressed to them through the web site to be forwarded directly to them. Their personal email addresses would be hidden from the sender. The Board members will let Judy know their decisions.

11. CLOSED SESSION:

11.1 None Scheduled.

12. BOARD SIGNATURES:

12.1 Board signed Minutes of Last Meeting, Certificates of Ownership of Burial Rights and warrants.

13. ADJOURNMENT:

13.1 Meeting adjourned at 6:02 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

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