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**Minutes
Special Meeting
December 16, 2010**

District Office, 11545 Brentwood Blvd., Brentwood, CA

CALL TO ORDER – The meeting was called to order at 4 p.m. by Chair Barbara Guise.

PLEDGE OF ALLEGIANCE

ROLL CALL – *Present:* Chair Barbara Guise and Trustee Sharon Marsh. *Staff Members present:* District Manager Mark White; District Secretary Barbara Fee, Foreman David Spearman, Groundskeeper David Garcia and an interpreter for David Garcia. *Public Members present:* Kathy Leighton of Leighton Construction and Tom Baldacci, Jr. *Absent:* Trustee Vickey Rhinehart.

Progress Report: New Board Member – Vickey Rhinehart is our new Board Member.

PUBLIC COMMENTS –

Kathy Leighton had the following information to share:

- Historical Society goes dark for November and December.
- Friends of Byron had their Christmas Tree Lighting on Main St.
- The Mariposa Project has cleared some hurdles and will be having a public meeting the first week of February.

Tom Baldacci, Jr. is here tonight to introduce himself and state that he will be running for the LAFCO seat vacated by David Piepho.

At this time the District Secretary excused herself to assist a family in need of making arrangements for a funeral. The Manager Mark White will finish taking the minutes.

Continued, Page 2

Union Cemetery District
MINUTES
Special Meeting
December 16, 2010
Page 2

These minutes were written off of the notes taken by Manager Mark White.

ADOPTION OF AGENDA – Agenda has been adopted.
CORRESPONDENCE – None

CONSENT CALENDAR

Minutes for Approval – Minutes were approved as written.
Financial

a. Approval of Warrants - These warrants were approved as presented. Manager commented on the additional electrical work needed at the Main Gate to install additional lights.

Manager's Updates/Report

a. Closing Gates at Night –

UNFINISHED BUSINESS

1. **Continued Discussion – Purchase of Additional Acreage**
 - a. **Update – Realtor/Negotiator Report of Final Contact with Seller** – At the recommendation of the District's legal counsel, the Board has directed the District Manager to begin Small Claims proceedings against the McKinney Family for not releasing the \$5,000 in Earnest Money held in escrow for the failed purchase of additional land.
2. **Discussion/Information – LAFCO Municipal Service Review/City of Oakley –**
 - a. *Reaction of Citizens -*
 - b. *Meeting with Oakley Manager, results* – District Manager and Trustee Marsh reported on meeting from December 14, 2010. At the meeting, the participants discussed alternates as presented by LAFCO. District Manager and City Manager will begin working on these items after the New Year.

Continued, Page 3

Union Cemetery District
MINUTES
Regular Meeting
December 16, 2010
Page 3

3. **Discussion/Information – *Supplying Pall Bearers*** – Nothing new to report.
4. **Discussion/Possible Action – *Historical Walking Tour Guide*** – The Manager reported that 250 brochures have been printed. According to Kathy Leighton, the East Contra Costa Historical Society is anticipating updating the brochure in the spring.
5. **Discussion/Possible Action – *Posting of Meeting Agendas*** – The District Manager reported on a memo sent by the District's legal counsel that the current practice of posting the District's Meeting Agendas is not legal. The agendas must be posted in a lighted kiosk, outside of the locked gates. The Board has directed the District Manager to commence with the project.

NEW BUSINESS

1. **Discussion/Possible Action – *Expand Web Page*** – *Estimates from East Bay Web Solutions* – District Manager reported that the State Controller's Office is demanding certain information. Also, new laws are probably pending that would make local government more transparent. Therefore, now would be a good time to expand the District's Web Page to include updated information on annual budgets, agendas and minutes of previous meetings. Since the upgrade is less than the District Manager's spending ceiling (\$850.00); then the Board took under advisement the upgrade.
2. **Discussion/Information – *Contra Costa Special Districts Committee*** – The CCSDA By-Laws Committee met at the District Office on December 6, 2010. No District Business was conducted. The committee simply discussed the re-write of the By-Laws.
3. **Discussion/Information – *Demonstration Site*** – The cemetery has been chosen as a demonstration site for a Semco grave digging machine to be demonstrated sometime in the spring. The District used to own such a machine; however, the District is NOT in the market at this time.

Continued, Page 4

Union Cemetery District
MINUTES
Regular Meeting
December 16, 2010
Page 4

4. **Discussion/Possible Action – Niche Area Improvement** – The District Manager has contacted the Cordeiro Vault Company and C & L Construction to obtain bids on expanding the Vista Diablo Columbaria area.
5. **Meetings/Possible Action – Whether to Send Delegates/Representatives**
 - a. *CCSDA Quarterly Meeting* – It was moved by Marsh, second by Guise to accept Resolution #10-02 giving authority to Board Chair to vote at the LAFCO meeting to be held January 24, 2011 in conjunction with the quarterly meeting of the Contra Costa Special Districts Association.
 - b. *LAFCO Meeting* – A representative will be chosen to replace David Piepho of Discovery Bay. Tom Baldacci, Jr. and George Schmidt of West County Waste Water District are both seeking that seat. The Board will vote at the January business meeting how to instruct its representatives on voting.
6. **Discussion/Possible Action – Scheduling Conflict for January 2011 Meeting** – Both Chair Guise and Trustee Marsh will be unavailable for the next regular Meeting, Wednesday, January 19, 2011. It was moved by Marsh, second by Guise that the Regular meeting be cancelled and replaced with a Special Meeting on Thursday, January 20, 2011 when a quorum will be available. *Vote: Ayes . Guise and Marsh. Noes - 0, Absent . 1.*

PERSONNEL

1. **Discussion/Possible Action – Assistant Manager** – The District Manager has received between 20 and 30 requests from persons interested in filling his seat. The Board has said that they would like to schedule a Special Meeting to consider the qualified applicants.
2. **Discussion – Volunteer Help** – The District Manager has reported that he has been working on a guide for Volunteer Help at Union Cemetery District. It is almost complete, but not yet ready for Board review.
3. **Discussion/Possible Action – Review** – From District Counsel . Our attorney Marty Snyder was to have sent a memo telling whether the Board can change certain policies for existing employees; or if the policy change is only applicable for future hires. We are still waiting for reply from counsel.

Continued, Page 5

Union Cemetery District
MINUTES
Regular Meeting
December 16, 2010
Page 5

CLOSED SESSIONS

CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS

OPEN SESSION - Our attorney recommends pursuing in small claims court.

CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL

OPEN SESSION – As above. Our attorney recommends pursuing in small claims court.

CLOSED SESSION – EMPLOYEE REVIEW

OPEN SESSION – Nothing to report.

COMMENTS FROM TRUSTEES

COMMENTS TO STAFF MEMBERS FROM BOARD

SETTING AGENDA OF NEXT REGULAR MEETING

ADJOURN