

COLUSA CEMETERY DISTRICT  
District Office  
1974 Wilson Ave., Colusa, CA 95932  
December 3, 2018  
6:00 p.m.

The regular meeting of December 3, 2018 of the Colusa Cemetery District was called to order by Chair Frank Miller at 6:04 p.m. Present: Chair Frank Miller, Trustee William Sterk, Trustee Wendy MacKaben and Vice-Chair Gregory Coronado. Absent: None.

Also Present:

Daniell Frampton, District Manager/ Secretary to Board.  
Richard Michael Bruggman, Grounds Man.

Chair Frank Miller opens the period of public comment.

Motion was made by Chair Frank Miller, seconded by Vice-Chair Gregory Coronado to add an item on the New Business portion of the agenda regarding President Donald Trump's Declaration of December 5th, 2018 be a Day OF Morning to honor the passing of President George H.W. Bush.

Motion carried by the following vote:

Yes: 4, Chair Frank Miller, Trustee William Sterk, trustee Wendy MacKaben and Vice-Chair Gregory Coronado.

Noes: None.

Abstain: None.

Absent: None.

Hearing no further public comment, Chair Frank Miller closes the period of public comment.

Claims:

Motion was made by Vice-Chair Gregory Coronado seconded by Trustee William Sterk to approve claims 18-836 thru 18-859.

Motion carried by the following vote:

Yes:4, Chair Frank Miller, Trustee William Sterk, Trustee Wendy MacKaben and Vice-Chair Gregory Coronado.

Noes: None.

Abstain: None.

Absent: None.

Minutes:

Motion was made by Trustee William Sterk seconded by Vice-Chair Gregory Coronado to approve the Minutes for October 15, 2018.

Motion carried by the following vote:

Yes: 4, Chair Frank Miller, Trustee William Sterk, Trustee Wendy MacKaben and Vice-Chair Gregory Coronado.

Noes: None.

Abstain: None.

Absent: None.

#### NEW BUSINESS:

A. The Board reviewed the Golden State Risk Management Authority Site Inspection Report with no action taken

B. The Board discussed the Declaration of December 5, 2018 as a Holiday for employees to mourn the passing of President George H.W. Bush.

Motion was made by Chair Frank Miller, Seconded by Vice-Chair Greg Coronado to approve December 5, 2018 as a Holiday.

Motion carried by the following vote:

Yes: 4, Chair Frank Miller, Trustee William Sterk, Trustee Wendy MacKaben and Vice-Chair Gregory Coronado.

Noes: None.

Abstain: None.

Absent: None.

#### OLD BUSINESS:

A. The Board reviewed bids and donations collected for the Sprinkler System. A total of 2,194.00 dollars has been collected so far. Mrs. Frampton states still in the process for applying for a grant through the United States Department of Agriculture.

B. The Board discussed the cell phone use by employees and reviewed Policy No. 309 Cell Phone Stipend Policy.

Motion was made by Trustee Wendy MacKaben, seconded by Trustee William Sterk to approve Policy No. 309 Cell Phone Stipend Policy:

## CELL PHONE STIPEND POLICY

### Cell Phone Stipend Policy

Eligible employees (below) may receive a cell phone stipend from the Colusa Cemetery for business related costs incurred when using their personal cell phones.

#### I. ELIGIBILITY

a. An employee may be eligible for the stipend if at least one of the following criteria is met, as determined by the Board of Trustees:

- i. The job function of the employee requires considerable time outside of his/her assigned office, work area, or at irregular hours and the employee must be accessible during those times;
- ii. The job function of the employee requires him/her to have wireless data and internet access while out of office; and/or
- iii. The employee is designated as a "first responder" to emergencies.

#### II. STIPEND PLAN:

- a. Eligible employees may receive a stipend of \$20.00 a month upon the approval of the Board of Trustees.
- b. Once approved, the employee will be eligible to receive the stipend automatically each month.
- c. Monthly text message confirmation will be sent the employee's cell phone. The employee will be required to respond to the text within 24 hours in order to receive the stipend that month. (*\*this will be done on Board Meeting day for Trustees to ensure compliance*)

#### III. OVERSIGHT, APPROVAL & FUNDING

- a. The Board of Trustees and the District Manager are responsible for identifying eligible employees.

- b. The District Manager is responsible for determining employee cell phone needs and assessing each employee's continued eligibility for a cell phone stipend. This includes an annual review during evaluations to determine continued eligibility of their employees.
- c. Stipends are funded by the eligible employee's department.

#### IV. EMPLOYEES RIGHTS & RESPONSIBILITIES

- a. The eligible employee is responsible for purchasing a cell phone and establishing and maintaining service with the cell phone service provider of his/her choice. The cell phone contract is in the name of the eligible employee, who is solely responsible for all payments to the service provider.
- b. To the extent allowed by law, the stipend provided is considered taxable income.
- c. The eligible employee can use the phone for both business and personal purposes, as needed.
- d. If the employee terminates their cell phone service plan at any point, she/he must notify his/her supervisor within 5 business days to terminate the stipend.
- e. The Colusa Cemetery District does not accept any liability for claims, charges or disputes between the cell phone service provider and the eligible employee.

#### V. CANCELLATION OR REDUCTION

- a. Any stipend will immediately cease or be reduced if:
  - i. An employee's employment with the cemetery terminates;
  - ii. An employee's Board of Trustees/ District Manager feels he/she is no longer eligible for the stipend;
  - iii. The eligible employee no longer has a cell phone or cell phone service plan; or
  - iv. The Cemetery decides to eliminate or reduce the stipend or the eligible employee's, or Board of Trustees determines to reduce the amount of the stipend.
- v. The eligible employee uses the cell phone in any manner contrary to local, state, or federal laws or cemetery policy.

## Cell Phone Stipend Agreement

Employee Name: \_\_\_\_\_ Stipend Start Date\*: \_\_\_\_\_

Job Title: \_\_\_\_\_ Monthly Stipend Amount (select one):

Dept Name: \_\_\_\_\_ *Regular*

Dept Number: \_\_\_\_\_ Cost \_\_\_\_\_ \$20

Cell Phone #: \_\_\_\_\_ Cellular Carrier: \_\_\_\_\_

Business Purpose: \_\_\_\_\_

*\*Stipend*

*payment should begin with the start of the next month.*

### Policy Summary

Employees who hold positions that include the need for a cell phone may receive a cell phone stipend to reimburse for business-related costs incurred when using their personally-owned cell phones. The stipend will be considered a taxable benefit to the employee. The level of cash subsidy (stipend) will be determined by a person's job duties as it relates to cell phone use and access. The Colusa Cemetery District will review and set the amounts to be provided for stipends and reimbursement on a monthly basis. For more information, refer to the *Cell Phone Stipend Policy*.

### Employee Responsibilities

Recipients of a cell phone stipend have the following responsibilities:

- Purchase cellular phone service and equipment and assume responsibility for vendor terms and conditions. The employee is responsible for plan choices, service features, and calling areas that meet the requirements of the job and the area of service the stipend is intended to cover (on cemetery grounds, during travel or at home). This includes termination clauses, and paying all charges associated with the cellular service and device.
- Report any job function changes that eliminate or significantly reduce the business need for a cell phone to your District Manager within 5 business days of this change.
- Avoid using the cellular phone for work related purposes while operating a motor vehicle, machinery or in other dangerous situations.
- Comply with all Federal and State data maintenance and protection laws (e.g., FERPA, record retention requirements, etc.), as well as all Cemetery policies, including those pertaining to data security, acceptable computing use, and email.
- Delete all Cemetery data from the cell phone when employment with the cemetery is severed, except when required to maintain the data in compliance with a litigation hold notice.

### Employee Certification

By signing below, I certify that I have read, understand, and agree to the Cell Phone Stipend Policy and my responsibilities under the policy.

\_\_\_\_\_  
*Employee Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Department Head Signature*

\_\_\_\_\_  
*Date*

Motion carried by the following vote:

Yes: 4, Chair Frank Miller, Trustee William Sterk, Trustee Wendy MacKaben and Vice-Chair Gregory Coronado.

Noes: None.

Abstain: None.

Absent: None.

Staff Report:

A. Grounds Maintenance:

Mr. Bruggman states that there was 4 Burials for the month of October 2018 and 1 Burial for the month of November 2018. Mr. Bruggman updates the Board as to work being performed in the yard and projects completed. Mr. Bruggman states that all 96 Italian Cypress Trees have been planted. Mr. Bruggman announces the safety meeting for October 2018 covered the 10 Families of Risk and November 2018 covered proper use of the N95 mask.

B. District Manager/ Secretary:

Financial reports are reviewed and show to be in good standing. Mrs. Frampton states that she has been in contact with PG&E and they will be removing the Beefwood trees along the East side of the cemetery to prevent them from hitting the power lines. Mrs. Frampton states that a Lowering Device Training will be held at the cemetery on January 18, 2019 to cover January's safety meeting and she invites the Board to attend. Mrs. Frampton further states that Charlie Franklin a Colusa High School Senior has been out to clean military headstones and he will need more time to clean all Veteran headstones. Additionally, the Colusa County Boy Scouts came out to help place flags for Veterans Day. Veterans Officer, Mr. Don Parsons presented the Scouts with a Veteran Stand Down Coin and Colusa Cemetery Presented them with a Certificate of Appreciation. Chair, Frank Miller attended the event.

Mrs. Frampton adds that all staff will be taking a Vacation day on December 24, 2018 and the Cemetery Office will be closed

Gas Log:

Gas log was reviewed for the month October 2018 showing 67.5 and November 2018 showing 23.2 gallons of gas used.

6:38 ADJOURN

Respectfully submitted,

---

Frank Miller, Chair

---

Daniell Frampton, Secretary

