

Tulare Public Cemetery District
Special Board Meeting Minutes
July 15, 2020

CALL TO ORDER:

The Tulare Public Cemetery board meeting was called to order at 10:22 a.m., at 900 E. Kern Avenue, Tulare, California by Chairperson Stephen Present. Trustees present via teleconference were, Chairperson Stephen Present, Vice Chairperson Xavier Avila, Secretary James Pennington, Trustee Vicki Gilson and Trustee Alberto Aguilar.

RECOGNITION OF VISITORS:

Jesse Martin, Linda Maloy, Vicki Gordon, Carlos Mendoza Sr., Carlos Mendoza Jr., and Alex Gutierrez.

COVID-19 BURIAL PROCEDURES:

The board directed Manager Castaneda to move forward with the COVID-19 procedures as it was being done before July 7, 2020 with the exception of having people bring their own umbrella to the service for shading.

DISCUSSION OF UNAUTHORIZED COMMENTS TO THE MEDIA:

Chairperson Present reminded the board that according to the district's bylaws the chairperson is the official spokesperson for the Board and the principal contact with other government agencies, legal counsel and the press unless the Board delegates this authority to another. Going forward Chairperson Present will be sending out Press Releases to the media. Chairperson Present decided to bring this item up to the boards attention because some board members have been placing their own articles to the media. Chairperson Present informed the board that it is incorrect for a board member to do this and that the board should act as a body and the chairperson is the districts official spokesperson for the board principal contact with other government agencies, legal counsel and the press. He would like to keep everything under one umbrella and would like the boards support in this.

MANAGER'S REPORT:

We have a board member coming onto cemetery grounds taking pictures of staff while they are working and asking funeral home staff questions about the cemetery and wanting to know why the funeral home did not ask this board member's permission or tell him that they were having a service. The funeral homes and/or staff have no obligation to any board member as to what they are doing. This board member also took pictures of one of our vendor's employee who came to drop off supplies at the cemetery. The vendor's employee told Foreman Faria that our board member has no right to be taking pictures of him doing his job. The board member did not ask him for permission to be taking pictures of him. The vendor's manager called me and said that if our board members do not leave his employees alone and let them do their jobs, they will no longer supply us with anything. The cemetery will lose their business.

You as board members are to set policy not to demand funeral home staff what services they are doing. Not to be taking pictures of cemetery staff when they are working or vendors when they are coming onto cemetery grounds to supply us with much need supplies.

I received an e-mail from Trustee Aguilar on July 14, 2020 in his e-mail he states "I want to know why the County Health Department only cleared the three office staff employees to return to work if those individuals were at the same safety meeting as the other employees. I also want to know what information was sent to the District office by the County Health Department that states the reasons for clearing the three staff employees to return to work on July 13, 2020."

These are questions that I cannot answer or even give out to anyone because of the HIPAA Act.

Chairperson Present viewed this as harassment by any board member who is taking pictures.

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Trustee Aguilar said he took pictures to show that Foreman Faria and Manager Castaneda were not following the COVID-19 Rules & Regulations. I took those photos to show that they are doing what they are not supposed to be doing and it is because of their failure, their deliberate failure of not following the COVID-19 Rules & Regulations that one of the employees has gone ahead and been diagnosed with COVID-19. As far as for her and the employees to go on strike I welcome them to go on strike. PLEASE DO SO! You are an at will employee go on strike. Thank you.

Vice Chairperson Avila said if the cemetery is having vendors who will not do business with the cemetery because of Trustee Aguilar taking pictures of them then that is directly affecting our operations here. I have to agree with Steve it is not only harassment but also intimidation. Employees do not have to work for us and they're skilled employees. You can talk about your rights; everyone wants to talk about their rights in this county but nobody wants to talk about their responsibility and what you have Alberto is a responsibility as a board member. You want to talk about your rights and just forget what your responsibility is. Our whole goal as a cemetery is to provide a service for the public and I don't know how we are going to do that without employees. I'm horrified that you challenge the employees to go on strike. I think everybody has a right to work at their work environment and not feel like their being harassed. I am sorry this is an outrage it's uncalled for and it's totally out of bounds. It's one thing if you observe one thing and you go to the chair with your concerns and let the chair handle it.

Secretary Pennington said he has been on this board for six months now and it is an embarrassment when I see board members who deliberately try to entrap, to play an I got you moment, to try to harass employees. Our jobs as board members is to help, to encourage, to give instructions. It is an embarrassment to our city, to our board and to the employees of the cemetery. I am sorry. If something goes wrong, we bring it up we have means to talk to the manager, we talk to that person, we correct it. It's all about education, training. Taking cameras and exposing people when they are in their own time is wrong. Stop the harassment.

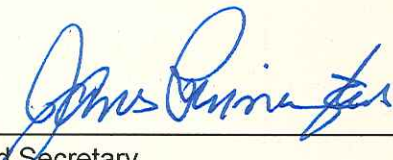
Manager Castaneda informed the board that on July 17th staff will have all services that were scheduled the previous week and this week completed in total the district had eleven services. We have experienced some complications out in the grounds with sprinklers breaking at both cemeteries. Staff will not be able to repair these sprinklers until they have completed all services. They are also doing catch up with the mowing and the weed eating.

Office staff is taking in families by appointment only. Office staff is not letting anyone in the office unless they are here to sign or pay for a service. Mortuaries are not coming in to drop off paperwork instead they are dropping it off in our mail box.

ADJOURNMENT:

Having nothing further Chairperson Presant adjourned the meeting at 12:10 p.m.

Respectfully Submitted,



Board Secretary