

Rainier Cemetery District
Regular Monthly Meeting Minutes
August 16, 2023

The regular meeting was called to order at 5pm by Director, Judy Lepin at 24952 Alston Rd (cemetery office) Rainier, OR. The Board members present were Scott Falconer, Judy Lepin, Jim McGlone, Rick Fletcher and David St. Onge

Visitors Included:

Jenni Fieken
Matt Fieken
Scott Toussaint
Cyndi Warren
Margaret Magruder
Agnes Peterson
Monica Hackenberg
Melanie Miller
Kathi Mattinen
Richard Brown
Will Lohre
Misty Holsey – did not sign in
Bruce Holsey – did not sign in
Bob Hackenberg – arrived late

Flag Salute

OLD BUSINESS

Approval of Minutes - No Approval.

Rick Fletcher made a motion for changes to be made to 7/17/23 minutes being no NAYS were asked for by Director Lepin. If given a chance on several motions he would have voted No if asked. Fletcher said he would make a motion to approve with corrections.

J Lepin – Make amendments to the minutes and wait for approval at another date.

Bills – Time being allowed to review bills before approval.

CemSites – J Lepin

Judy explained the forms Misty creates for clients and how the information is saved on the cloud. There is no need to repeat entry information. Clients can access the information once entered into the program. Judy gave some background to the company that started in 2012 and now has over 1600 users with various sizes of clients. There is a \$1500.00 yearly fee for the 2 cemeteries and we currently have a \$900.00 monthly payment. The deposit was made in June and the contract has already been signed. The prior board had already voted it in.

J. Lepin made a motion to proceed with the software.

R. Fletcher seconded the motion

The motion passed to proceed.

A phone call will be made in the morning to CemSites to proceed after being paused.

RCD Meeting Rules - Updated

J. Lepin updated the meeting rules and sent them to the board members for review.

J. Lepin made a motion the meeting rules be accepted. Discussions occurred which included the Reconsideration of a vote and how that process occurs. R. Fletcher doesn't believe we have to have a check in procedure for meetings. Judy said she did not create the content, just the person doing the activity to reflect the new board. There are some numbering issues that need to be changed.

J. Lepin made a motion to accept the meeting rules with the number changes. It was seconded (R. Fletcher YES) (S. Falconer YES) (D St. Onge YES) (J. McGlone YES)

Motion passed

Fireproof Cabinet

Cost \$800-\$1000 for cabinet

Someone suggested used office equipment.

R. Fletcher might know of one, will need to ask about it.

ZOOM Meetings

Judy invited others to look into Zoom

May take a couple of months due to time.

Put off until Sept. or Oct. meeting.

Public Records Request Revote

It was motioned and seconded to rescind the vote to pay David St. Onge for a records request payment. After discussions, the motion was passed by a majority.

New Business

CMW Books LLC – J Lepin

Director Lepin explained the contract history with Cyndi Warren, which started 15 years ago after she left a local CPA firm, opened her own business as CMW Books, LLC.

She started by charging \$1265.00 a month for services and activities related to paying bills, completing payroll, records data, taxes and attending meetings and taking board minutes.

As of July 2022, CMW Books LLC had a contract for \$1575.00 per month along with payment for staff management of day-to-day operations and reporting to the Board of Directors.

Reference only - (Item #11 on contract)

This management was paid for in overage for approx., \$1000.00 per month.

Currently – as of July 2023 CMW is paid \$1650.00 monthly.

J Lepin made several claims of how the services of Cyndi Warren of CMW Books LLC are performed which included:

- No proof of business insurance or bond
- Comingling of funds

- Business expenses were paid for by RCD
- RCD bills and invoices were never reviewed by a board member(s) prior to payment
- No employee files at RCD office
- No time sheets
- RCD bills are paid late, with late fees attached
- Pays herself early before work is performed
- Calls for legal advice without board approval for a fee
- Questionable interactions with employees

J Lepin, I move/request, that effective immediately, CMW Books LLC:

1. Quits using client funds for business expenses, including education.
2. Quits paying herself early salary.
3. Needs to have checks signed by their due dates.
4. Provides business insurance and bond.
5. Provides Job description(s) Contracted position or part-time employee?

RCD needs to:

- Have bank reconciliations done by someone other than the one writing the checks.
- Hire a separate payroll preparer.

Discussion occurred:

R Fletcher and J Lepin discussed employee status, SADO training, conference fees and credit for best practices.

R Fletcher – The board writes the checks. She saved the district when Kevin left.

J Lepin – No documents to meet legal employment requirements.

R Fletcher – Trusts a lot of her input by what she brings back from conferences.

J Lepin – Audience concerns? Yes

R Fletcher – There needs to be a board motion to get bond information.

J Lepin motion

I make a motion that RCD revisit the contract with CMW Books LLC to have requirements to:

- Carry insurance and a bond
- Be paid after work is completed
- Have no business expenses paid by RCD

Motion seconded by D St. Onge

Fletcher – Nay Falconer - Nay Lepin - Yay McGlone - Yay St. Onge – Yay

Motion passed

Board Clerk

J Lepin - Volunteer board clerk.

Seconded by D. St. Onge

Discussion – We would need to have them vetted. This person would have access to board business.

R Fletcher – I feel Cyndi has been doing that.

Board Clerk - vote

Lepin – Yay McGlone – Yay St. Onge – Yay Fletcher – Nay Falconer – Nay

Motion passed

Cemetery District Charter

An example was sent to board members. Lepin read a description on how it sets up goals and how to go about conducting meetings.

Item tabled by D St. Onge.

District Board Position #2

J Lepin made several observations about knowledge of position. Main points included:

- Doesn't understand or observe the rules of employers
- Doesn't understand the relationship and responsibilities of the employee and employer
- The liabilities of the employer to our taxpayers
- Board has no right to ask for resumes, or view job evaluations by CMW
- No proof of insurance from the bookkeeper
- Wanted to hire someone with no cemetery experience
- No historical records availability without prior approval of the board
- Defends inappropriate behavior with no action
- Allowed a non- board member to be RCD budget officer
- Allowed pay for an illegal employee
- Blocks board activities and records
- Does not practice transparency

We need to prove our intentions to the community we are doing what is right on their behalf. We can't give them any reason for lack of trust.

J Lepin – I move for a motion of no confidence for Rick Fetcher (Fletcher) based on what I just read.

D. St. Onge - A question

What is the resolve for this motion?

J Lepin - We need someone positive and working on the taxpayer behalf with interest in being transparent.

St. Onge - So, the resolve will be what?

Well if you second my motion, he will be off the board. Visitor reaction. Lepin then changed wording back to proposed motion.

St. Onge – SDAO says that no one goes anywhere for 6 months.

St. Onge again asks, what's the resolve?

J Lepin would like to see Fletchers behavior change and act on behalf of the taxpayer.

St. Onge – If that's the resolve, it needs to be in the minutes, and I'll second that motion.

Fletcher then asked to make comments.

Fletcher then read an email conversation he had with SDAO.

A full-blown argument ensued between Fletcher and Lepin with several calls to order by St. Onge.

Fletcher also stated Lepin had planned an illegal meeting that he put a stop to. Lepin responded she didn't know.

Fletcher asked that the rules are followed.
McGlone wants the 5-person board to get along.

No confidence vote on the floor
Lepin – Yay Fletcher – Nay Falconer – Nay St. Onge – Nay McGlone - Nay
Motion failed

Board Position #3

J Lepin gave a no confidence to board member #3 for:

- Signed checks with no proof of hours worked
- No board approval of salary paid

Item tabled by D St. Onge

Accounting Audit

Could cost up to \$20,000 – not necessary for a business our size.
Review is different than an audit.

Mail

Option to change delivery to mailbox at Atkins Rd.
Mail could be picked up by staff
Locking box cost \$100.00
D. St. Onge – moved to get the mailbox J McGlone – seconded
Mailbox passed – unanimous

Tablet for Maintenance Crew

Matt will get an idea for us of what the cost will be.

Staff Reports

Misty gave J Lepin a printout
M Fieken salary - tabled for now to be discussed in an Executive Session

Legal Representation

Lepin - Nothing new to report at this time – for boundary annexation purposes

J Lepin called for an **EXECUTIVE SESSION** - board employee business D St. Onge – seconded
Passed Unanimous

The board went into executive session for a short time. Public left the room.

Once again in Open Session – open to public

Fletcher made this motion: The board has come to an agreement on a wage range for the Sexton position. The board liaison will discuss it with the Sexton, Matt Fieken.

The wage will be retro to July 18, 2023.

Seconded – All the board agrees and motion passes

Public Comments - that occurred during the meeting

Agnes Peterson – recommended having public comments at beginning of meeting and limiting to 5 minutes. Commented on conduct of the business and recommended a facilitator to work with the board to help us work together.

Margaret Magruder – You can call an executive session without having to have a special meeting.

Kathi Mattinen – Embarrassed by the boards inability to work together and asked if there is training available to improve their issues working together.

Monica Hackenberg – The board needs to work together for a common goal.

The meeting was adjourned by Judy Lepin.

The next meeting will be September 20, 2023 at 5pm.

Approved by: _____ Date: _____

Approved