Oroville Cemetery District

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The Honorable James F. Reilley, Presiding Judge
Superior Court of California, County of Butte
One Court Street
Oroville, CA 95965

RE: 2008-2009 Final Report of the Butte County Grand Jury

Dear Judge Reilley,

Pursuant to California Penal Code §933, the Oroville Cemetery District's Board of Trustees has reviewed the 2008-2009 Grand Jury Final Report. The following is the District's Trustees response to the 2008-2009 Grand Jury Report.

Response to the Summary Gridley-Biggs, Oroville and Paradise Cemetery Districts, paragraph 4

Finding: The Oroville Cemetery District (OCD) closes a half day before a holiday, the actual holiday, and the day after the holiday.

Response: False, during the interview session, the Grand Jury interview panel was provided with a copy of the Oroville Cemetery District's Employee Handbook which contains OCD's holiday schedule. The original holiday schedule was adopted on October 15, 1976. The current holiday schedule is:

1.	New Years Day	January 1st
2.	Martin Luther King's Birthday	Designated Monday in January
3.	President's Day	Designated Monday in February
4.	Cesar Chavez Day	March 31st
5.	Good Friday	Closed Friday at Noon
6.	Memorial Day	Last Monday in May
7.	Independence Day	July 4th
8.	Labor Day	First Monday in September
9.	Veterans Day	November 11th
10.	Thanksgiving Day	Designated Thursday in November
11.	Day after Thanksgiving	Friday after Thanksgiving
12.	Christmas Day	December 25th
13.	Floating Holidays, (2)	
14.	General Elections	

Response to Finding F1

Finding: It is the policy of the Oroville Cemetery to require additional fees, when they have undercharged a family. The PCD and GBCD do not, they absorb the error.

Response: The District's "fees" are public funds and errors could be viewed as gifting of public funds. If a mistake is made, OCD does not require additional fees, we simply attempt to collect the correct fees.

Recommendation: The OCD should adopt the same business practice as PCD and GBCD in regard to the adjustment of under quoted fees.

Response: OCD's goal is to accurately charge for each service according to our board adopted Fee Schedule. Fees are based on type of interment, immediate need, future need, marker size, non-resident status, type of vault and an Endowment Care fee based on the size of the plot (full or cremation). If mistakes are caught before an interment has taken place, the District does attempt to rectify its error and collect the fees due. There have been instances were under charged fees have remained uncollected as well. However, if fees were overcharged a refund is issued.

Response to Finding F2

Finding: The OCD does not allow for an interment fee adjustment for burials done the day after a holiday.

Response: True, OCD does not have a special fee for a burial performed the "day after a holiday." OCD does have a weekend/holiday service fee which was adopted on November 1, 1983.

Recommendation: The OCD should adopt the same interment fee adjustment as PCD and GBCD, for burials done the day after a holiday.

Response: OCD implemented a policy on November 1, 1983, requiring an additional fee if a service is held on a weekend or holiday. The fee is referred to a "Non-Scheduled Day Fee." OCD does not require a special fee for a burial performed on the "day after a holiday."

OCD's policy for weekends and holidays is as follows: "No interment or disinterment shall be performed on Saturday, Sunday or a Legal Holiday. Exception: As ordered by the Butte County Health Officer, or as provided by law," (adopted July 25, 1974).

Response to Finding F3

Finding: The OCD and PCD charge for a death occurring outside of the District seems excessive and harsh, especially if all costs have been pre-paid.

Response: False. A "Resident" is defined as someone who lives within the District's boundaries and/or owns property within the District's boundaries. Residency is not based on where the actual death occurred. To determine resident vs. nonresident status OCD follows the California's Health & Safety Code 9060.

(b) A district shall limit interments to:
(1) Persons who are residents of the district.
(2) Persons who are former residents of the district and who acquired interment rights in lots or plots while they were residents of the district.

(3) Persons who pay property taxes on property located in the district.
(4) Persons who formerly paid property taxes on property located in the district and who acquired interment rights in lots or plots while they paid those property taxes.

Recommendation: The OCD and PCD charge for a death occurring outside of the District should be eliminated, when all costs have been pre-paid.

Response: The District follows California's Health & Safety Code when determining residency status and charges that may apply. If burials rights were purchased while a resident of the district, formerly a resident and/or paid property taxes within the district (see definition above) then at the time of death a non-resident fee is non applicable.

Response to Finding F4

Finding: The GBCD educational program for young adults is original and wise.

Response: Agreed, great program.

Recommendation: The PCD and OCD should adopt the GBCD approach for youth education and the control of vandalism.

Response: An educational youth program would benefit OCD. Currently OCD welcomes visitors and assists the public conducting genealogy research locally and nationwide. People travel from within and outside the state to visit graves of relatives and the District, working with local residents assists in finding the location of the graves within our cemeteries and if needed in the surrounding area.

OCD opens its gates on Memorial Day to honor our veterans and partners with Oroville's local veteran organizations in coordinating the Memorial Day Services. This past Easter, OCD worked with several local churches to organize an Easter Sunrise Service also held at the Memorial Park Cemetery. Each of these events were attended by all age groups.

In terms of vandalism control, like the Gridley-Biggs Cemetery District, the Oroville Cemetery District through our insurance carrier Golden State Risk Management Authority partners with a crime prevention program called "WeTip." Crimes are reported anonymously and rewards are offered. Each of the District's four cemeteries have "WeTip" warning signs posted by the entrance gates.

Response to Finding F5

Finding: The Endowment Care Funds for all three Cemetery Districts are adequate and should be sufficient to maintain the cemeteries to perpetuity.

Response: Agreed.

Respectfully Submitted,

Mark Wisterman, Chairman