

CEMETERY BOARD MEETING

MINUTES

October 19, 2011

The Cemetery Board met on October 19, 2011, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following members were present:

Randolph Gleason, Chair
David Gilliam, Vice-Chair
Isabel Berney
Jane M. Garland
Pamela Jo Lundy
Leonard A. Muse

DPOR staff present for all or part of the meeting included:

Gordon Dixon, Director
Mark Courtney, Deputy Director
Christine Martine, Executive Director
Bonnie Rhea Adams, Director of Complaint
Analysis & Resolution
Herb Nichols, Investigator
Earlyne Perkins, Legal Analyst
Emily Trent, Administrative Assistant

Elizabeth Peay, from the Office of the Attorney General was present.

Randolph Gleason called the meeting to order at 9:06 A.M.

Call to Order

A motion was made by Ms. Lundy and seconded by Mr. Muse to approve the agenda. The motion passed unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

Agenda

A motion was made by Mr. Muse and seconded by Ms. Berney to approve the June 15, 2011, Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

Minutes

Mike Doherty, Virginia Cemetery Association (VCA) member, addressed the Board to express representation of the VCA. No action was taken by the Board.

Public Comment

In the matter of **File Number 2011-05045, Pamela C. Bailey**, the Board reviewed the Consent Order as seen and agreed to by Ms. Bailey. A motion was made by Ms. Berney and seconded by Mr. Gilliam to accept the proposed Consent Order offer wherein Pamela C. Bailey admits to a violation of §54.1-2327.A (Count 1) of the *Code of Virginia*, and agrees to no monetary penalty and \$150.00 in Board costs, for a total of \$150.00. The motion passed by unanimously. Members voting “Yes” were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

File Number 2011-05045,
Pamela C. Bailey

In the matter of **File Number 2011-05046, Pamela C. Bailey**, the Board reviewed the Consent Order as seen and agreed to by Ms. Bailey. A motion was made by Ms. Berney and seconded by Mr. Gilliam to accept the proposed Consent Order offer wherein Pamela C. Bailey admits to a violation of §54.1-2327.A (Count 1) of the *Code of Virginia*, and agrees to no monetary penalty and \$150.00 in Board costs, for a total of \$150.00. The motion passed by unanimously. Members voting “Yes” were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

File Number 2011-05046,
Pamela C. Bailey

In the matter of **File Number 2011-04650, Greenlawn, LLC**, the Board reviewed the Consent Order as seen and agreed to by Greenlawn, LLC. A motion was made by Mr. Muse and seconded by Ms. Lundy to accept the proposed Consent Order offer wherein Greenlawn, LLC, admits to 3 violations of §54.1-2325 (Count 1) of the *Code of Virginia*, and admits to 3 violations of §54.1-2319 (Count 2) of the *Code of Virginia* and agrees to \$150.00 for the violations contained in Count 1, \$150.00 for the violations contained in Count 2, and \$150.00 in Board costs, for a total of \$450.00. The motion passed by unanimously. Members voting “Yes” were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

File Number 2011-04650,
Greenlawn, LLC

In the matter of **File Number 2011-04711, Jenee Martell Leger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leger. A motion was made by Mr. Gilliam and seconded by Mr. Muse to accept the proposed Consent Order offer wherein Jenee Martell Leger admits to a violation of 18 VAC 47-20-190.6 (Count 1) of the 2000 Board Regulations, and agrees to \$1,000.00 monetary penalty for the violation contained in Count 1 and \$150.00 in Board costs, for a total of \$1,150.00. For the violation of Count 1, the Board shall waive imposition of the \$1,000.00 monetary penalty, and in exchange, Leger agrees to voluntarily surrender her salesperson registration within fifteen (15) days of the effective date of the order. In addition, Leger agrees not to apply for a cemetery salesperson registration in Virginia for a period of fifty (50) years from the effective date of the order. The motion passed by unanimously. Members voting “Yes” were Berney, Garland, Gilliam,

File Number 2011-04711,
Jenee Martell Leger

Gleason, Lundy and Muse.

In the matter of **File Number 2011-04712, Jenee Martell Leger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leger. A motion was made by Mr. Gilliam and seconded by Mr. Muse to accept the proposed Consent Order offer wherein Jenee Martell Leger admits to a violation of 18 VAC 47-20-190.6 (Count 1) of the 2000 Board Regulations, and agrees to \$1,000.00 monetary penalty for the violation contained in Count 1 and no Board costs, for a total of \$1,000.00. For the violation of Count 1, the Board shall waive imposition of the \$1,000.00 monetary penalty, and in exchange, Leger agrees to voluntarily surrender her salesperson registration within fifteen (15) days of the effective date of the order. In addition, Leger agrees not to apply for a cemetery salesperson registration in Virginia for a period of fifty (50) years from the effective date of the order. Board costs have been imposed in the Consent Order for the companion file 2011-04711 where the Respondent is the same individual. Therefore, Board costs are not imposed for this file. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

File Number 2011-04712,
Jenee Martell Leger

In the matter of **File Number 2011-04715, Jenee Martell Leger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leger. A motion was made by Mr. Gilliam and seconded by Mr. Muse to accept the proposed Consent Order offer wherein Jenee Martell Leger admits to a violation of 18 VAC 47-20-190.6 (Count 1) of the 2000 Board Regulations, and agrees to \$1,000.00 monetary penalty for the violation contained in Count 1 and no Board costs, for a total of \$1,000.00. For the violation of Count 1, the Board shall waive imposition of the \$1,000.00 monetary penalty, and in exchange, Leger agrees to voluntarily surrender her salesperson registration within fifteen (15) days of the effective date of the order. In addition, Leger agrees not to apply for a cemetery salesperson registration in Virginia for a period of fifty (50) years from the effective date of the order. Board costs have been imposed in the Consent Order for the companion file 2011-04711 where the Respondent is the same individual. Therefore, Board costs are not imposed for this file. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

File Number 2011-04715,
Jenee Martell Leger

In the matter of **File Number 2011-04719, Jenee Martell Leger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leger. A motion was made by Mr. Gilliam and seconded by Mr. Muse to accept the proposed Consent Order offer wherein Jenee Martell Leger admits to a violation of 18 VAC 47-20-190.6 (Count 1) of the 2000 Board Regulations, and agrees to \$1,000.00 monetary penalty for the violation

File Number 2011-04719,
Jenee Martell Leger

contained in Count 1 and no Board costs, for a total of \$1,000.00. For the violation of Count 1, the Board shall waive imposition of the \$1,000.00 monetary penalty, and in exchange, Leger agrees to voluntarily surrender her salesperson registration within fifteen (15) days of the effective date of the order. In addition, Leger agrees not to apply for a cemetery salesperson registration in Virginia for a period of fifty (50) years from the effective date of the order. Board costs have been imposed in the Consent Order for the companion file 2011-04711 where the Respondent is the same individual. Therefore, Board costs are not imposed for this file. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

In the matter of **File Number 2011-04721, Jenee Martell Leger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leger. A motion was made by Mr. Gilliam and seconded by Mr. Muse to accept the proposed Consent Order offer wherein Jenee Martell Leger admits to a violation of 18 VAC 47-20-190.6 (Count 1) of the 2000 Board Regulations, and agrees to \$1,000.00 monetary penalty for the violation contained in Count 1 and no Board costs, for a total of \$1,000.00. For the violation of Count 1, the Board shall waive imposition of the \$1,000.00 monetary penalty, and in exchange, Leger agrees to voluntarily surrender her salesperson registration within fifteen (15) days of the effective date of the order. In addition, Leger agrees not to apply for a cemetery salesperson registration in Virginia for a period of fifty (50) years from the effective date of the order. Board costs have been imposed in the Consent Order for the companion file 2011-04711 where the Respondent is the same individual. Therefore, Board costs are not imposed for this file. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

File Number 2011-04721,
Jenee Martell Leger

In the matter of **File Number 2011-04728, Jenee Martell Leger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leger. A motion was made by Mr. Gilliam and seconded by Mr. Muse to accept the proposed Consent Order offer wherein Jenee Martell Leger admits to a violation of 18 VAC 47-20-190.6 (Count 1) of the 2000 Board Regulations, and agrees to \$1,000.00 monetary penalty for the violation contained in Count 1 and no Board costs, for a total of \$1,000.00. For the violation of Count 1, the Board shall waive imposition of the \$1,000.00 monetary penalty, and in exchange, Leger agrees to voluntarily surrender her salesperson registration within fifteen (15) days of the effective date of the order. In addition, Leger agrees not to apply for a cemetery salesperson registration in Virginia for a period of fifty (50) years from the effective date of the order. Board costs have been imposed in the Consent Order for the companion file 2011-04711 where the Respondent

File Number 2011-04728,
Jenee Martell Leger

is the same individual. Therefore, Board costs are not imposed for this file. The motion passed by unanimously. Members voting “Yes” were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

Ms. Peay gave the Board an update on File Number 2011-00347, **Old Business** Stonecrest Financial Inc. t/a Meadow-Brooke Memorial Gardens. No action was taken by the Board.

The meeting adjourned at 9:16 A.M.

Adjourn

Randolph Gleason, Chair

Gordon Dixon, Secretary

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