

CEMETERY BOARD MEETING

MINUTES

October 7, 2010

The Cemetery Board met on October 7, 2010, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following members were present:

**Randy Gleason, Chair
David Gilliam, Vice-Chair
Mike Kirsch
Delores King**

Board member not present: Isabel Berney

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

**Gordon Dixon, Director
Mark Courtney, Deputy Director
Christine Martine, Executive Director
Herb Nichols, Investigator
Amy Chappell, Investigator
David Dorner, Director of Investigations
Emily Trent, Administrative Assistant**

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

Mr. Gleason called the meeting to order at 10:09 AM

Call to Order

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

Agenda

There was no public comment.

Public Comment

At 10:12 A.M., Mr. Gilliam offered a motion which was seconded by Mr. Kirsch, that the Board meeting be recessed and that the Cemetery Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the

Closed Session

consideration of the topic: Elizabeth Peay, Christine Martine, Herb Nichols, Amy Chappell, Mark Courtney, Gordon Dixon and David Dorner.

This motion is made with respect to the matter(s) identified as agenda item(s):

IV. File Number 2011-00347, Stonecrest Financial Inc. t/a Meadow-Brooke Memorial Gardens

At 11:04 A.M., a motion was made by Mr. Kirsch and seconded by Ms. King that the Board reconvene in open session.

WHEREAS, the Cemetery Board has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

Certification

WHEREAS, §2.2-3712 of the *Code of Virginia* requires a certification by this Cemetery Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Cemetery Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Cemetery Board.

VOTE: 4-0

AYES: Gilliam, Gleason, King, and Kirsch.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Berney.

In the matter of **File Number 2011-00347, Stonecrest Financial Inc. t/a Meadow-Brooke Memorial Gardens**, a motion was made by Mr. Kirsch and seconded by Mr. Gilliam that the Board direct legal counsel to work with the bankruptcy court to protect the interests of the public who have

File Number 2011-00347, Stonecrest Financial Inc. t/a Meadow-Brooke

dealings with Stonecrest Financial, Inc. t/a Meadow-Brooke Memorial Gardens. Further, if the bankruptcy court dismisses the bankruptcy petition filed by Stonecrest Financial, Inc. t/a Memorial Gardens, the board directs legal counsel to pursue legal action pursuant to §54.1-2313.1 of the Code of Virginia as necessary to ensure the cemetery company is operated in full compliance with the board's law and regulations. The motion passed unanimously. Members voting "Yes" were Gleason, Gilliam, King and Kirsch.

Memorial Gardens

The meeting adjourned at 11:08 A.M.

Adjourn



Randolph Gleason, Chair



Gordon Dixon, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Randolph Gleason
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board
(Name of Board)
4. Meeting/IFF Date: October 7, 2010
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

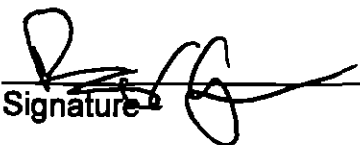
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

10/07/2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: David Gilliam
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board
(Name of Board)
4. Meeting/IFF Date: October 7, 2010
(Date)
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the
public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

10/7/10
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Joseph M. Kirsch
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board
(Name of Board)
4. Meeting/IFF Date: October 7, 2010
(Date)

5. I have a personal interest in the following transaction:

None
(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Joseph M. Kirsch
Signature

10/7/2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Delores C. King
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board
(Name of Board)
4. Meeting/IFF Date: October 7, 2010
(Date)

5. I have a personal interest in the following transaction:


_____ (Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession,
occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
or
 I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.



Signature

10/7/10

Date