

## CEMETERY BOARD MEETING

### MINUTES

August 28, 2012

The Cemetery Board met on August 28, 2012, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following members were present:

David Gilliam, Vice-Chair  
Jane M. Garland  
Pamela Jo Lundy  
Randolph Minter

Board member absent was: Isabel Berney

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

Christine Martine, Executive Director  
Nicholas Christner, Deputy Director  
Bonnie Rhea Adams, Director of Complaint  
Analysis & Resolution  
Herb Nichols, Investigator  
Kristin Clay, Legal Analyst  
Emily Trent, Administrative Assistant

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

David Gilliam called the meeting to order at 9:16 A.M.

#### **Call to Order**

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

#### **Agenda**

A motion was made by Ms. Garland and seconded by Ms. Lundy to approve the February 29, 2012. Board Meeting minutes, and May 18, 2012, Informal Fact-Finding Conference minutes. The motion passed unanimously. Members voting "Yes" were Garland, Gilliam, Lundy and Minter.

#### **Minutes**

Mary Lou Collier, addressed the Board concerning double selling plots. No action was taken by the Board.

#### **Public Comment**

Caroline Smith, Virginia Cemetery Association (VCA) member, spoke on

§54.1-2312.1, and VCA's position about consumer protection and the law's impact on the public. No action was taken by the Board.

In the matter of **File Number 2012-01761, SCI Virginia Funeral Services, Inc.**, the Board reviewed the Consent Order as seen and agreed to by SCI Virginia Funeral Services, Inc. A motion was made by Ms. Lundy and seconded by Ms. Garland to accept the proposed Consent Order offer wherein SCI Virginia Funeral Services, Inc., admits to a violation of 18 VAC 47-20-190.13 (Count 1) of the Board's 2000 Regulations. In addition, the Board shall waive the \$500.00 monetary penalty for Count 1, provided SCI Virginia Funeral Services, Inc., agrees to make Taghi M. Ansari's cemetery account whole by providing him with documentation that he owns the cemetery merchandise and services (the vault, the opening/closing fee, and the memorial and granite base) that he purchased for his burial. Taghi M. Ansari relinquished his cemetery merchandise and services "at need" for the burial of Zahra Lahiji, Taghi M. Ansari's ex-wife, even though she had a letter stating that her contract for burial had been paid in full. Further, SCI Virginia Funeral Services, Inc., agrees to provide the Board with proof of compliance in a form acceptable to the Board within ninety (90) days of the effective date of this order. If SCI Virginia Funeral Services, Inc., fails to comply with these terms, then the full monetary penalty and license suspension, until SCI Virginia Funeral Services, Inc., complies with the terms noted above, will be imposed. Also, for violation of Count 1, SCI Virginia Funeral Services, Inc., agrees to order and install the memorial as approved by Sean Ansari, at no cost, for Zahra Lahiji. The motion passed unanimously. Members voting "Yes" were Garland, Gilliam, Lundy and Minter.

**File Number 2012-01761,**  
**SCI Virginia Funeral**  
**Services, Inc.**

In the matter of **File Number 2012-02790, George R. Hinnant**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Lundy and seconded by Mr. Gilliam to accept the recommendation to approve George R. Hinnant as the trustee of the perpetual care and preneed trust funds for Greenlawn Memory Gardens, Inc. contingent upon an Agreement for Licensure in which Hinnant must complete the "Training for Compliance Agent" course offered by the Virginia Cemetery Association or a course equivalent in subject matter and acceptable to the Board within six (6) months of the execution of the Agreement. Additionally, Hinnant understands and agrees that his failure to sign and return the Agreement within fourteen (14) days of receipt shall result in a denial of application. The motion passed by majority vote. Members voting "Yes" were Gilliam and Lundy. Member voting "No" was Garland.

**File Number 2012-02790,**  
**George R. Hinnant**

As the presiding Board member, Mr. Minter did not participate in the discussion or vote pertaining to this matter.

Elizabeth Peay, Office of the Attorney General, provided legal advice to the Board on interpreting §54.1-2312.1 of the *Code of Virginia*.

**Administrative Issues**

Ms. Martine opened the floor for nominations for the position of Chair and Vice-Chair of the Cemetery Board. Jane Garland nominated David Gilliam for the position of Chair. With no other nominations, the nominations were closed. A motion was made by Ms. Garland and seconded by Mr. Minter to elect David Gilliam as Chair. The motion passed unanimously. Members voting "Yes" were Garland, Gilliam, Lundy and Minter.

**Election of Officers**

Randy Minter nominated Jane Garland as Vice-Chair. With no other nominations, the nominations were closed. A motion was made by Mr. Minter and seconded by Ms. Lundy to elect Jane Garland as Vice-Chair. The motion passed unanimously. Members voting "Yes" were Garland, Gilliam, Lundy and Minter.

A motion was made by Mr. Minter and seconded by Ms. Garland to adopt the following resolution to honor the years of dedicated service by former Board Member Randolph C. Gleason to the Board:

**Resolution**

**RESOLUTION IN HONOR OF**

**Randolph C. Gleason**

WHEREAS, **Randolph C. Gleason**, has faithfully and diligently served as a member of the Cemetery Board since 2005; and

WHEREAS, **Randolph C. Gleason**, has devoted generously of his time, talent and leadership to the Board; and

WHEREAS, **Randolph C. Gleason**, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Cemetery Board wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

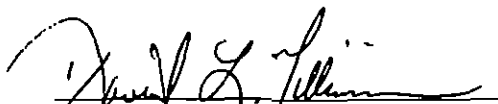
NOW THEREFORE BE IT RESOLVED, by the Cemetery Board this twenty eighth day of August 28, 2012 that Randolph C. Gleason be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens and the Cemetery; and

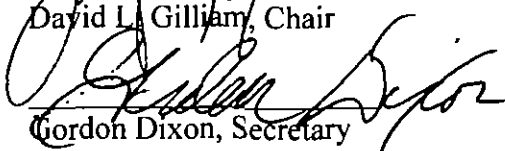
BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

The motion passed unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

The meeting adjourned at 9:46 A.M.

**Adjourn**

  
\_\_\_\_\_  
David L. Gilliam, 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 Minter  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: August 28, 2012  
(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.

Randolph Minter  
Signature

8/28/12  
Date

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

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

1. Name: Pamela Jo Lundy  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: August 28, 2012  
(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.

Pamela Jo Lundy  
Signature

Aug. 28, 2012  
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: August 28, 2012  
(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.

David Gilliam  
Signature

August 28, 2012  
Date

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Jane M. Garland  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: August 28, 2012  
(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.

Jane M. Garland  
Signature

28 Aug 2012  
Date