

CEMETERY BOARD MEETING

MINUTES

March 5, 2024

The Cemetery Board met on March 5, 2024 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia.

The following members were present:

James 'Jim' A. Meadows, Jr., Chair
Dr. Charletta H. Barringer-Brown, Vice-Chair
Susan Mini
Caroline Smyth
Donald Wilson
James Young

Board members absent from the meeting:

Judy S. Lyttle

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

Kishore S. Thota, Director
Brian Wolford, Chief Deputy Director
Stephen Kirschner, LRPD Deputy Director
Anika Coleman, Executive Director
Lee Bryant, CIC and Cemetery Board
Administrator
Gezelle Glasgow, Administrative Coordinator

Elizabeth Peay, Senior Assistant Attorney General, with the Office of the Attorney General was present.

Mr. Meadows, determined a quorum was present and called the meeting **Call to Order** to order at 10:05 A.M.

Dr. Barringer-Brown arrived at 10:06 A.M. **Arrival of Board Member**

Ms. Coleman informed the Board of the emergency evacuation **Emergency Evacuation Procedures** procedures.

Mr. Wilson moved to approve the agenda. Ms. Mini seconded the motion which was unanimously approved by members: Barringer-Brown, Meadows, Mini, Smyth, Wilson, and Young. **Approval of Agenda**

Ms. Smyth moved to approve the minutes from the September 6, 2023 Board meeting, the February 22, 2024, Regulatory Review Committee meeting and the February 22, 2024 Total Return Distribution Committee meeting as a block. Mr. Wilson seconded the motion which was **Approval of the Minutes**

unanimously approved by members: Barringer-Brown, Meadows, Mini, Smyth, Wilson, and Young.

Ms. Coleman welcomed and introduced, Kishore Thota, Agency Director, Brian Wolford, Chief Deputy Director, Lee Bryant, Board Administrator of the Cemetery Board, and Gezelle Glasgow, Administrative Coordinator of the Cemetery Board.

Welcome and Introductions

There was no public comment.

Public Comment

Mr. Meadows and Ms. Smyth recused themselves for the following case, **File Number 2023-01544 – Greenlawn Memory Gardens, Inc., t/a Roselawn Memory Gardens.** The position of Chair transferring to Dr. Barringer-Brown.

Recusal of Board Members and transfer of Chair

In the matter of **File Number 2023-01544, Greenlawn Memory Gardens, Inc. t/a Roselawn Memory Gardens** the Board members reviewed the record which consisted of the investigative file, transcripts, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Wilson moved to remand Greenlawn Memory Gardens, Inc. case file back for further investigation on the matter. Mr. Young seconded the motion which was unanimously approved by members: Barringer-Brown, Mini, Wilson, and Young.

File Number 2023-01544, Greenlawn Memory Gardens, Inc. t/a Roselawn Memory Gardens

Mr. Meadows returned to the meeting. Mr. Meadows resumed position of Chair.

Return of Board Member and Transfer of Chair

Ms. Smyth recused herself for the following case, **File Number 2023-02502 – F V Cemetery Company Incorporated.**

Recusal of Board Member

In the matter of **File Number 2023-02502 – F V Cemetery Company Incorporated,** the Board members reviewed the Consent Order as seen and agreed to by F V Cemetery Incorporated.

File Number 2023-02502– F V Cemetery Company Incorporated

F V Cemetery Incorporated did not attend the Board meeting in person, by counsel nor by any other qualified representative.

Ms. Mini moved to accept the Consent Order which cites the following violation of the Board’s regulations: 18 VAC 47-20-190.13 (Count 1). For this violation, F V Cemetery Company Incorporated agrees to pay the following monetary penalties: \$750.00 for the violation contained in Count 1; and \$150.00 in Board costs, for a total monetary penalty of \$900.00.

In addition, F V Cemetery Company Incorporated shall provide to the

Board in a form acceptable to the Board, a written procedure regarding the opening and closing of graves within ninety (90) days of the effective date of this order.

Dr. Barringer-Brown seconded the motion which was unanimously approved by members: Barringer-Brown, Meadows, Mini, Wilson, and Young.

Ms. Smyth returned to the meeting.

Return of Board Member

Ms. Coleman presented the proposed Cemetery regulation changes to the Board.

New Business

Mr. Wilson moved to accept the proposed regulatory changes. Ms. Smyth seconded the motion which was unanimously approved by members: Barringer-Brown, Meadows, Mini, Smyth, Wilson, and Young.

Regulatory review update

Ms. Coleman informed the Board that Calvary Memorial Park d/b/a Fairfax Memorial Park has requested to withdraw \$104,045 from Principal in the Perpetual Care account.

**Perpetual Care Trust
Fund Withdrawal-
Calvary Memorial Park
d/b/a Fairfax Memorial
Park**

Mr. Young moved to approve the withdrawal request from Calvary Memorial Park d/b/a Fairfax Memorial Park. Mr. Wilson seconded the motion. Members voting "Yes": Barringer-Brown, Smyth, and Young. Members voting "Nay": Wilson and Mini.

Mr. Meadows abstained from the vote.

Other Board Business

Ms. Coleman informed the Board that recommendations for revocation need to have a process established for receivership of the cemetery.

**Discuss Board
disciplinary action**

Ms. Peay informed the Board that other Boards have a trust fund to support receivership.

Ms. Coleman recommended a different penalty or additional training for compliance agent.

Ms. Coleman informed the Board that Board staff will reach out the Virginia Cemetery Association (VCA) and develop a process for receivership.

Ms. Coleman suggested to the Board that a committee be formed once Board staff provides information from VCA.

**Board Financial
Statement**

The Board reviewed the financial statement. No action was taken by the Board.

Election of Officers

Ms. Coleman opened the floor for nominations for the position of Chair of the Cemetery Board. Mr. Wilson nominated Susan Mini for the position of Chair. The motion was seconded by Ms. Smyth. Mr. Bratton accepted the nomination. The nominations were closed. The motion was unanimously approved. Members voting "Yes" Barringer-Brown, Meadows, Mini, Smyth, Wilson, and Young. By acclimation, Ms. Mini was named Board Chair.

Ms. Coleman opened the floor for nominations for the position of Vice-Chair of the Cemetery Board. Ms. Mini nominated Carolyn Smyth for the position of Vice-Chair; the motion was seconded by Mr. Wilson. Ms. Smyth accepted the nomination. The nominations were closed. The motion was unanimously approved. Members voting "Yes" Barringer-Brown, Meadows, Mini, Smyth, Wilson, and Young. By acclimation, Ms. Smyth was named Board Vice Chair.

Ms. Coleman informed the Board that the Board Member Training Conference will be October 10-11, 2024.

Board Member Training Conference

Chief Deputy Director Wolford addressed the Board informing them the training would benefit current and new Board members.

There being no further business, the meeting adjourned at 11:21 A.M.

Adjourn

Susan Mini, Chair

Kishore S. Thota, Secretary