

NORTH CAROLINA CEMETERY COMMISSION

June 24, 2009

Emergency Teleconference Meeting

9:00 A.M.

Chairman Boscoe Fulcher called an emergency meeting of The North Carolina Cemetery Commission via teleconference to begin at 9:00 a.m. Wednesday, June 24, 2009 in the Commission office at the Pinewood Building, Suite 100, at 1001 Navaho Drive, Raleigh, North Carolina. The Commission members in attendance were Chairman, Leonard J. 'Boscoe' Fulcher, Ralph Yates, Linda Cotten, Frank Rose, Jr., Robin Lancaster, David Brown, Michael 'Dicky' Powell, and Vice-Chairman, Andrew 'Rusty' Tysor. Howard Huff was not on the call, due to the fact that he submitted a letter of resignation effective June 15, 2009. Special Deputy Attorney Ann Brown and Attorney Faison Hicks from the Department of Justice were on the call. Administrator, Jimmy Miller, and Administrative Assistant Nancy Waggoner were present. There were no public observers on the call.

The meeting was called to order by Chairman Boscoe Fulcher. Ralph Yates gave the invocation.

Chairman Fulcher requested the Agenda Approval. Per the agenda during that time any New Business that was to be discussed should be so indicated. As none was scheduled or indicated, David Brown made a motion to approve the agenda. Dicky Powell seconded the motion. All voted in favor.

Administrator Jimmy Miller announced that the Emergency meeting was being held pursuant to N. C. General Statutes Chapter 143.318-12(b)(3) which held that generally unexpected circumstances that require immediate consideration by the Public body may be called.

The first item on the agenda was a reminder to the Commission members that if there were any known conflicts of interest or appearance of conflicts in regards to the matters being brought before them to let it be known in accordance with the Governor's executive order. Jimmy Miller read the Governor's Executive Order #1. There were no conflicts.

Chairman Boscoe Fulcher asked for a motion to go into Executive Session to discuss Old Business pertaining to HTCC and LandQuest Legacy. Rusty Tysor so moved. David Brown seconded the motion. All voted in favor. Executive Session began at 9:13 a.m.

The Commission came out of Executive Session at 9:50 a.m. Rusty Tysor made a motion to not appeal the HTCC decision. Frank Rose, Jr. seconded the motion. All voted in favor. The motion passed. Rusty Tysor made a second motion to direct the Administrator to release the Trust Funds to HTCC in accordance with the law. Dicky Powell seconded the motion. All voted in favor.

As there was no New Business, Chairman Fulcher Thanked members for their participation and announced the next meeting date: Wednesday, July 22, 2009 (which was a date change from July 15, 2009) at 10:00 a.m.

Attorney Faison Hicks reminded members that the LandQuest Legacy hearing was scheduled to be heard the week of July 20, 2009.

Dicky Powell made a motion to adjourn. David Brown seconded the motion. All voted in favor. The teleconference adjourned at 9:56 a.m.

CHAIRPERSON

DATE