

**State of North Carolina
Cemetery Commission
Meeting**

9:00 A.M.

The North Carolina Cemetery Commission held a meeting on Wednesday, July 17, 2013 in the Wood Oak Building, Suite 242, at 1100 Navaho Drive, Raleigh, North Carolina. Those Members in attendance were President Stephens, Vice-President Michael "Dicky" Powell, Treasurer William "Bill" Gaffney, Commissioners Glenn Cutler, Ralph Yates, Linda Cotten, David Brown, Leonard J. "Boscoe" Fulcher, Jr., and Frank Rose, Jr. Attorneys Anne Brown and Faison Hicks from the Department of Justice provided legal representation. Vikki Tollefson was also present as Administrative Assistant. Members of the public were also in attendance.

The meeting was called to order by President Stephens, who opened the meeting with a Moment of Reflection. First item was Agenda approval, President Stephens asked to remove item 5c due to the requestor's failure to provide necessary documentation; Mr. Fulcher moved to strike item 5c from the Agenda, Mr. Culter 2nd the motion, all in favor. Next up for approval were the minutes from May 1, 2013 meeting, Mr. Cutler moved to approve the minutes, Ms. Cotten 2nd the motion, all in favor.

I. CONFLICTS OF INTEREST:

President Stephens declared that, in accordance with the State Government Ethics Act 138A15E, it is the duty of every Commission Member to avoid both conflicts of interest and appearances of conflict in regard to the matters being brought before them today, and to refrain from any undue participation in the particular matter involved.

President Stephens asked for any conflicts of interest, David Brown recused himself from 5a and 6a, Glenn Cutler recused himself from 5b and President Stephens recused himself from item 6a.

II. PRESIDENT'S REPORT:

Mentioned the deep loss of Molly Lee and thanked Commissioner Culter for his assistance in running the office and mentioned Vikki Tollefson's efforts in supporting Mr. Cutler.

President Stephens gave update on Inspections and inspectors. Completed 13 inspections, since the last meeting, 7 inspections are scheduled for the end of August, should be up to our goal of 8 inspections per month by September of this year. We have 6 inspectors trained and on line and one more is being trained, with 2 inspectors doing the training. We should be up to date on our inspection schedule around this time next year.

President Stephens updated the board on Scotland County, in Laurinburg. We filed a

claim on the bond, the company paid without questions. One of the 2 memorials has been installed; the other expected to arrive on the 19th of July.

President Stephens asked if there were any questions regarding the financials. No one had any questions or concerns. Report concluded.

III. REQUESTS FROM THE PUBLIC TO ADDRESS THE COMMISSION:

President Stephens addressed the public, asked if anyone wished to address the board. Jody Rentz addressed the board

There were no more requests from the public to address the board.

IV. REPORTS OF SPECIAL COMMITTEES:

No reports from special committees.

V. NEW BUSINESS:

- A. Sales license application review for Tammy Stout. Miss Stout introduced herself and thanked the board for consideration. She explained her situation, Attorneys, Faison Hicks and Anne Brown, had questions for Ms. Stout, which she answered. At 9:25 a.m. Boscoe Fulcher motioned for Executive Session to discuss Ms. Stout's application. Ralph Yates 2nd the motion, all in favor. Executive Session began at 9:27 a.m.
Glenn Cutler motioned to come out of Executive Session, Mr. Powell 2nd the motion, all in favor, Executive Session ended at 9:32 a.m.
Dicky Powell motioned for the Board to grant Ms. Stout a Provisional License for 6 months, Bill Gaffney 2nd the motion, all in favor.
- B. Pamlico Memorial Gardens Change of Control, Glenn Cutler recused himself from this discussion. Mr. Robert Hodges approached the board as the representative for new ownership of Pamlico. Mr. Powell asked a few questions, Mr. Hodges answered those questions. Mr. Powell motioned to approve the Change of Control, and Mr. Brown 2nd the motion, all in favor.
Mr. Hodges had 2 questions for the Commission. The Commission answered those questions.
- D. Pisgah view inspection findings were presented, questions raised, Mr. Travis was present to discuss the findings. President Stephens addressed Mr. Travis and asked if he'd like to speak. A lot of discussion and many questions asked and answered. Mr. Fulcher motioned for another inspection to be scheduled at the expense of the cemetery in order to see if things have changed and are being done properly, Mr. Powell 2nd the motion, all voted in favor.
- E. Moody Cemeteries request name changes to original names, Mr. Fulcher moved to approve, Mr. Rose 2nd the motion, all in favor.

VI. OLD BUSINESS:

- A.** Rocky Mount Memorial Park inspection, David Brown and President Stephens recused from this discussion. Misunderstanding with how PC was paid, Rocky Mount conceded and paid what was owed and the discussion is whether to issue a penalty. Mr. Brown stated since this was a first offense on Stewarts part, could the Commission waive the penalty. Mr. Gaffney moved to waive penalty, Mr. Fulcher 2nd, all voted in favor.
- B.** HTCC update, actively looking for new owners. The plan is for Scotland County to be sold and Oakridge to be sold to Sharon for \$1 and HTCC will be out of the cemetery business.
- C.** LandQuest update to be in Executive Session
- D.** LQ Restland/Chapel Hill land split

Mr. Culter suggested we move to VII. The election of Officers before we move to Executive Session.

Mr. Rose motioned for the DOJ attorneys to write a letter to ask the Trustee (Ken Argo at Cem Funds) to pursue the money Mountlawn Memorial Park's owner agreed to pay to the PC Trust fund. Mr. Gaffney 2nd the motion, all voted in favor.

VII. The Election of Officers:

Mr. Brown nominated Gantt Stephens for President; Mr. Cutler 2nd the motion, Mr. Fulcher moved to close nominations for President. All voted in favor.

Mr. Fulcher nominated Glenn Cutler for Vice President, Ms. Cotten 2nd the motion, all voted in favor.

Mr. Fulcher nominated Bill Gaffney for Treasure, Mr. Powell 2nd the motion, all voted in favor.

Mr. Brown motioned for Board to go into Executive Session at 10:15, Mr. Rose 2nd the motion, all voted in favor.

Mr. Rose motioned to end Executive Session at 10:39 a.m, Mr. Yates 2nd the motion, all voted in favor.

President Stephens motioned to adjourn the meeting at 10:40 a.m. Ms. Cotten 2nd the motion, all voted in favor.

PRESIDENT

Date