

State of North Carolina
Cemetery Commission Meeting Minutes
April 25th, 2018

The North Carolina Cemetery Commission held a meeting on Wednesday, April 25th, in the Hilton North Raleigh Midtown located at 3415 Wake Forest Rd., Raleigh, NC 27609. The members in attendance were President William “Bill” Gaffney, Vice-President Linda Cotten, Commissioners: Leonard “Boscoe” Fulcher, Ebbie Whitley-Hendren, Lenual Primus, Bobby Townsend, and Sharon Weaver. Gantt Stephens was in attendance as Director of Operations. Members of the public were also in attendance.

The meeting was called to order by President Gaffney. The President called for a Moment of Reflection. New members Sharon Weaver, Lenual Primus, Bobby Townsend, Ebbie Whitley-Hendren and Leonard “Boscoe” Fulcher were introduced and welcomed. First item was the agenda approval. Mr. Townend moved to approve the agenda and Mrs. Cotten seconded. All voted in favor to accept the agenda.

Next up for approval were the minutes from January 24th, 2018. Mrs. Cotten moved to approve the minutes. Mr. Fulcher seconded. All voted in favor.

I. CONFLICTS OF INTEREST:

President Gaffney declared that, in accordance with the State Government Ethics Act 138 A 15E, it is the duty of every Commission member to avoid both conflicts of interest and appearances of conflicts in regards to the matters being brought before them today and to refrain from any undue participation in the particular matters involved.

Mr. Gaffney recused himself from items IV, A, Cabarrus Memorial Gardens Request to Change Trustee.

Mr. Gaffney then asked if there were any other conflicts of interest. There were none.

II. PRESIDENT’S REPORT:

Mr. Gaffney asked Mr. Stephens to give a report on Operations.

Mr. Stephens began the report with a review of the most current financial reports. Mr. Stephens asked if there were any questions about the financials. There were none. The CPA for the Commission was present in the gallery to answer any questions.

Seven (7) complaints have been received since the last meeting. Those complaints are either resolved or within the twenty (20) day response period. Total complaints received in 2018 is eight (8).

Late monthly reports: Four (4) cemeteries are behind on monthly reports. Crawford Ray #026, Glennview #058, Yadkin #158 and Shepherd #138.

Ten (10) Annual Care and Maintenance Reports for 2017 are missing. Cabarrus #164, Duplin #033, Gardens of Gethsemane #054, Markham #165, Memory Gardens #090, Pinewood #114, Riverview MP #127, Rockfish #129, Shepherd #138, and Yadkin #158.

Twelve (12) inspections have been completed since the last meeting and four (4) more are being completed this week bringing the total to twenty-two (22) year-to-date by the end of the week. Inspections are running smoothly and right on pace.

Mr. Stephens stated his Operations Report was complete unless there were questions.

III. REQUESTS FROM THE PUBLIC TO ADDRESS THE COMMISSION:

There were multiple people who requested to address the Commission.

Stephen Davis from the Board of Funeral Services introduced himself as the new executive director for the board. Mr. Davis stated the NCCC's adopted version of the Memorandum of Understanding between the NCCC and NCBFS was currently being reviewed by a committee of the NCBFS. Mr. Davis thanked the NCCC board for the opportunity to speak and stated that he looked forward to working together.

Others requested to address the Commission and spoke later in the meeting as they were included in the meeting agenda.

IV. NEW BUSINESS:

- A. Cabarrus Memorial Gardens Request to Change Trustees for their perpetual care fund. Mr. Fulcher made a motion to approve the change of trustee from Bank of America to Pinehurst Funds. Ms. Whitley-Hendren seconded. All voted in favor.
- B. Evergreen Memorial Gardens Inspection Findings. The findings from Evergreen Memorial Gardens inspection were discussed and a plan was proposed to reduce current liabilities. Evergreen had four (4) people who spoke. Blane Standland (Attorney), Dawn Williams (President), Chad Daly (Secretary), and Belinda Shreve (Administrator). There was an extensive discussion regarding the determination of their current liability as \$82,969.72 to their merchandise trust fund. They provided documentation of serviced contracts.

It was proposed that to bring their liability current, they will sell capital equipment with an estimated value of \$40,000 and deposit proceeds into their Merchandise Trust Fund. In addition, they will leave the residual amount in the Merchandise Trust as they service accounts and make an additional \$1000 payment each month. It was requested that they put this in writing and their proposal is subject to David Drach's (Inspector) review of serviced contracts that were provided and a follow up inspection by Mr. Drach. Mr. Fulcher made a motion to approve the proposal. Ms. Whitley-Hendren seconded. All voted in favor.

- C. Bon-A-Venture Cemetery requested to sell land. Mr. Fulcher made a motion to disallow the sale of any of either of the two parcels of land and leave them as statutorily set up in 1975. Mrs. Cotten seconded. All voted in favor.

V. OLD BUSINESS:

- A. Shepherd Memorial Park License Suspension. Mr. Gaffney updated that the Commission hadn't received; Annual Reports for 2016 and 2017, Monthly Reports from May 2017 to present: and responses to the Commission's 20 day letters. Their license was suspended in January of 2018. It was proposed by Mr. Fulcher that Shepherd Memorial Park be placed into immediate receivership. Mrs. Cotten seconded the motion. All voted in favor.
- B. Rules Review. Mr. Stephens updated that no comments were received regarding the Rules Review. It was proposed by Mr. Townsend that the Rules be accepted as written in January 2018. Mr. Fulcher seconded. All voted in favor.

VI. REMINDER OF NEXT MEETING DATE:

July 25th, 2018 at 10:00 AM. This will be the Annual Meeting.

VII. ADJOURNMENT:

Mr. Gaffney adjourned the meeting. The meeting ended at 11:05 A.M.