

State of North Carolina
Cemetery Commission Meeting Minutes
January 15, 2020

The North Carolina Cemetery Commission held a meeting on Wednesday, January 15th, 2020 in the Hilton North Raleigh Midtown located at 3415 Wake Forest Rd., Raleigh, NC 27609.

The members in attendance were President William “Bill” Gaffney and the following Commissioners: Ebbie Whitley-Hendren, Lenual Primus, David Simmons, Winn Graham, and Sharon Weaver. Linda Cotten and Dyanne Miller were not present due to excused absences. Gantt Stephens as Director of Operations was also in attendance, as well as members of the public.

The meeting was called to order by President Gaffney at 10:00 a.m. The President called for a moment of reflection. Following the moment of reflection Ms. Hendren moved to approve the meeting agenda. Motion was seconded by Ms. Weaver. All voted in favor to accept the agenda as written. Motion passed.

The next item for approval was the minutes from the October 16, 2019 NC Cemetery Commission meeting. Ms. Hendren made a motion to approve the meeting minutes as written. Motion was seconded by Mr. Graham. All voted in favor. Motion passed.

I. CONFLICT OF INTEREST:

A. President Gaffney declared that, in accordance with the State Government Ethics Act 138A 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 and to refrain from any undue participation in the particular matters involved.

No conflicts of interest were reported.

II. OPERATIONS REPORT:

Mr. Stephens began the Operations Report by addressing the number of complaints (18) reported for this quarter. Mr. Stephens notified the Commission that Crestlawn of Farmville was responsible for the bulk of these complaints and that the known issues are currently being remedied by the newly appointed receiver, Ms. Ruth Futrell.

While reviewing financial statements, Mr. Stephens also addressed the Commission to discuss the cemeteries currently on payment plans to recoup trust deficits. Copies of the cemetery payment plans were provided for the Commissioners to review. Mr. Stephens made the Commission aware that, for the time being, Crestlawn will not be making these payments until normal operations resume.

The commissioners also discussed Glennview’s appointment of a new trustee to resume their current payment agreement. The Commission has received notification from SunTrust regarding their decision to no longer accept deposits from Glennview.

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Mr. Stephens stated that they would be in violation of their payment agreement at the end of this month if no trustee is appointed.

Cemeteries late on their monthly reports are Crawford/Ray Memorial Gardens, Pigsah View Memorial Park, and Sunrise Memorial Gardens.

Eight (8) inspections have been completed since the last meeting. Zero (0) inspections have been completed year to date.

Mr. Stephens stated his Operations Report was complete unless there were questions. No questions were presented.

III. REQUESTS FROM THE PUBLIC TO ADDRESS THE COMMISSION:

Mr. Jamie McCall requested to address the Commissioners during the review of a complaint against Lafayette Memorial Cemetery.

IV. NEW BUSINESS:

- A. Lafayette Memorial Park – Mansfield complaint- The commissioners were provided with extensive documentation of a complaint from the Mansfield family regarding date of death scrolls purchased in 2012 by Mr. Verlin Mansfield that were to be provided for himself and his wife at the time of need. Executive Director Cutler sent a resolution letter to Lafayette regarding this complaint dated November 4, 2019 which the cemetery rejected pending today's Board meeting. Mr. Jamie McCall, son of Verlin and Jeanne Mansfield, spoke to the Commission to clarify the chain of events and requested the Commission implement the resolution suggested by Mr. Cutler.
- A motion was made by Ms. Hendren for the Commission to implement Mr. Cutler's resolution dated November 4, 2019. The motion was seconded by Mr. Graham. The motion passed unanimously. Ms. Boshier of Lafayette will be notified she is to fully comply with the Commission's resolution as stated in the aforementioned letter. Mr. Gaffney thanked Mr. McCall for his appearance before the Commission today.

V. OLD BUSINESS:

- A. Crestlawn Memorial Gardens: Mr. Stephens notified the Commission that the receivership being sought was awarded December 15, 2019 to Ms. Ruth Futrell. Ms. Futrell requested \$1,100 from the Commission to make

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repairs to a water line causing significant grounds damages and for legal fees associated with her acquisition of the receivership. This was granted to Ms. Futrell prior to this meeting. Mr. Stephens offered his compliments to Ms. Futrell's dedication and immediate action to improve the grounds and resume normal operations. Notably, Crestlawn's former owner has been arrested on charges related to this matter and is expected to appear in court this February.

- B. Crown Memorial Park: Discussion on the item was tabled until such a time a receiver is found to appoint.
- C. Update on New Admin Rule- Copies of this rule were provided for the Commissioners to review. There have been no public comments regarding this new rule. A motion was made by Ms. Hendren to proceed with this rule as written. Ms. Weaver seconded the motion. Motion passed unanimously.
- D. Oak Grove Mausoleum Pre-Construction- Mr. Stephens provided a letter for the Commissioners to review from Mr. Steve Vining regarding the delay of construction at Oak Lawn. According to the 48-month rule, construction was to begin in March 2019. Mr. Vining's letter provides an estimated timeline for construction to begin in February 2020 immediately following the City of Durham's approval of their site plan (submitted 12/16/19). Mr. Vining did not offer a reply to questions regarding the new mausoleum project at Carolina Biblical Gardens. A motion was made by Mr. Graham to send a letter to Mr. Vining requiring a response to the Commission regarding this project within 20 days. The motion was seconded by Ms. Hendren and passed unanimously.

VI. REMINDER OF NEXT MEETING DATE:

The next meeting of the Commission will be April 15, 2020 at 10:00 a.m.

VIII. Adjournment:

Mr. Simmons made a motion to adjourn the meeting. Motion seconded by Ms. Weaver. All Commissioners voted in favor. Mr. Gaffney adjourned the meeting at 10:51am.