

State of North Carolina

Cemetery Commission Meeting Minutes

April 21, 2021

The North Carolina Cemetery Commission held a regularly scheduled quarterly meeting on Wednesday, April 9, 2021 at 10am via teleconference.

President William “Bill” Gaffney and the following Commissioners were present: David Simmons, Winn Graham, Linda Cotten, Ebbie Hendren, and Sharon Weaver. Gantt Stephens, as Director of Operations, was also in attendance, as well as the following members of the public: Gary Nance, Christie Drumwright, Dwight Godwin, Michael Warren, Domini Peirce, Vicki West, Whitney Fibich, Margie Swartout and Monique Prite.

I. Conflict of Interest:

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 regarding the matters being brought before them and to refrain from any undue participation in the matters involved.

Mr. Winn Graham recused himself from voting on any matters related to Old Business item: Harnett Devotional Gardens.

Public Comments:

President Gaffney invited any member of the public wishing to address the Commission come forward. He explained each individual will have two minutes of time.

Gary Nance of Asheboro, NC requested to address the Commission regarding a formal complaint he submitted against Randolph Memorial Park in September 2020. Mr. Nance explains to the Commission, for the past 2 years, barriers have been placed in one of the driveways of Randolph MP, blocking it from use. He explains these barricades are present due to a “sinkhole” that has formed on the property from suspected water drainage problems. Mr. Nance informs the Commissioners that the local news has done multiple stories covering the water problems at Randolph and how they have prevented family from visiting loved ones. Mr. Nance asks the Commission if 2 years is a reasonable time frame for such work to be completed. Operations Director, Mr. Stephens reports to Mr. Nance and the Commissioners that StoneMor, parent company of Randolph Memorial Park, states they have planned for a surveyor crew to visit the site April 26th with the objective of “determining a holistic approach” to the problem. President Gaffney states he will follow-up at the cemetery property and communicate with staff on-site to oversee the progress of this issue.

Michael Warren addressed the Commission regarding pre-need goods and services his family has purchased at Harnett Devotional Gardens in Dunn, NC. He explains to the Commission he has heard there are no funds at the cemetery to purchase their ordered property. His concerns were echoed by Domini Peirce and Margie Swartout, who also attended the meeting to question the Commission about the future of Harnett Devotional Gardens. Mr. Gaffney thanks the members of the public for

their attendance and explains that Harnett Devotional Gardens has been placed in Receivership. Mr. Gaffney explains that, during the receivership process, the records and financial accounts of Harnett Devotional Gardens will be assessed to determine the total required dollar amount that should be maintained in each trust account. Mr. Gaffney explains that when the cemetery is purchased by a new court-appointed buyer, these accounts will be made whole. Mr. Gaffney shares that he is optimistic there will be a buyer to rectify the state of Harnett Devotional Gardens by summer.

Dwight Godwin from Greensboro requested to address the Commission regarding a formal complaint he submitted related to a delayed preconstruction project at Alamance Memorial Park. Mr. Godwin explains, in February 2017, he purchased crypts for his family in a preconstruction project at Alamance Memorial Park. Mr. Godwin explains his wife was placed in a temporary mausoleum until this new project was completed. He explains he sent in a formal complaint to NC Cemetery Commission in November of 2020 when he felt there had been a lengthy delay in construction and he was not receiving answers from staff on-site or the corporate office. Mr. Godwin states he learned about the “48-month rule” by reading the statutes and questions the Commission about this delay. President Gaffney thanks Mr. Godwin for speaking and explains Alamance Memorial Park was recently inspected by the Commission as a result of multiple complaints. Mr. Gaffney reports that StoneMor, parent company of Alamance Memorial Park, states they have now executed a contract with a building company and have reportedly begun construction and should have it completed within 6-8 months. Mr. Godwin reports to Mr. Gaffney that no visible construction has yet occurred. President Gaffney thanks Mr. Godwin for coming forward with his information and states he will visit the cemetery to follow-up on these reported plans.

No further requests from the public to address the Commission.

II. New Business:

- a. **Change of Control – West, Sky View, Clark’s Chapel to Park Lawn Corp-** President Gaffney explains that the Commissioners have each received a copy of the Change of Control applications from West Memorial Park, Sky View Memorial Park, and Clark’s Chapel Cemetery. These packets include all the required information to transfer ownership of these properties from the West family to Park Lawn Corp. Ms. West, representing the seller, and Ms. Fibich, representing the buyer were present for this determination. Ms. Cotten moved to approve the Change of Control applications for West Memorial Park, Sky View Memorial Park, and Clark’s Chapel Cemetery to Park Lawn Corp. Mr. Graham seconded the motion. The floor was opened for discussion. Ms. Cotten thanked the participants for providing such comprehensive documentation. No further discussion. Motion passed.

III. Old Business:

- a. **Crestlawn Memorial Gardens** - Operations Director Stephens provided an update regarding the current receivership at Crestlawn Memorial Gardens in Farmville. The grounds continue to improve under the supervision of Ms. Futrell. Mr. Stephens reports there are ongoing legal struggles related to ownership of the cemetery preventing further resolution at this time.

- b. **Harnett Devotional Gardens-** President Gaffney states he continues to visit Harnett Devotional Gardens and assist the remaining staff, Vicki Johnson, with ordering. He reiterates that he is optimistic there will be a new buyer in the coming months to make all trust accounts whole, so merchandise may be ordered as needed. Mr. Gaffney explains, at present, there are no available funds at Harnett for anything aside from lawn care. Mr. Gaffney shares the hard work and dedication of on-site staff and thanks her for her dedication to the consumers of Harnett.

IV. REMINDER OF NEXT MEETING DATE:

The next quarterly meeting will take place on July 21, 2021 at 10:00 a.m. If the meeting is cleared to occur in person, it will take place in person at the Hilton in North Hills, Raleigh.

V. Adjournment:

Mr. Graham moved to adjourn the meeting. Ms. Cotten seconded the motion. All in favor. Meeting adjourned.