

North Carolina Cemetery Commission

Special Meeting Minutes

May 22, 2024

The North Carolina Cemetery Commission held a special called meeting on Wednesday, May 24, 2024, via Teleconference.

President William “Bill” Gaffney and the following Commissioners were present: Mr. Brian Hill, Ms. Sharon Weaver, Ms. Bonita Caldwell, Mr. David Simmons, Ms. Dyanne Miller, Ms. Linda Cotten, Ms. Whitley Hendren, and Mr. Gantt Stephens, Director of Operations, were also in attendance.

The meeting was called to order at 10:00 am. President Gaffney called for a moment of silence.

The first item of the meeting was the agenda approval. Ms. Whitley Hendren moved to approve the agenda as written. The motion was seconded by Mr. Simmons. All voted in favor of accepting the agenda as written.

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.

No Commissioners declared conflicts of interest regarding agenda items today.

II. New Business- LandQuest Legacy Statutory Violations

President Gaffney outlined the purpose of the special meeting, highlighting ongoing issues with LandQuest Legacy Properties. These issues include delinquent trusting deposits and complaints from consumers regarding undelivered merchandise. LandQuest Legacy has continuously failed to trust preneed purchases and deliver paid merchandise, constituting a violation of the Cemetery Act. Mr. Don Hunt, representing Mr. Kyle Corkum, spoke on behalf of LandQuest Properties. He suggested that the outstanding delinquent deposits could potentially be transferred to a bond. Mr. Hunt committed to researching this bond conversion option with the surety company. The Commissioners confirmed that statutory provisions allow bonds for preneed liability coverage only, with no such option for perpetual care trusting. However, the Commissioners referred Mr. Hunt to a notice of repeated violation sent by Mr. Cutler in November 2023, which had not been addressed.

Ms. Linda Cotten moved to place the following LandQuest Legacy properties into receivership due to ongoing statutory violations:

Brier Creek Memorial Gardens

Chapel Hill Memorial Gardens

Oak Grove Memorial Gardens

Greenlawn Memorial Gardens

Carolina Biblical Gardens of Raleigh

The motion was seconded by Ms. Bonita Caldwell. After opening the floor for discussion and receiving no further comments, the motion was unanimously approved.

III. REMINDER OF NEXT MEETING DATE:

Mr. Gaffney reminded all in attendance that the next scheduled quarterly meeting will take place on **TUESDAY**, JULY 23rd, 2024, at 10:00 a.m. at the Hilton in North Hills, Raleigh.