

North Carolina Cemetery Commission

Quarterly Meeting Minutes

October 15, 2025

The North Carolina Cemetery Commission held a quarterly meeting on Wednesday, October 15, 2025, hosted at the Hilton in North Hills, Raleigh.

President William “Bill” Gaffney and the following Commissioners were present: Mr. Brian Hill, Mr. David Buchanan, Mr. Bobby Townsend, Ms. Bonita Caldwell, Mr. David Simmons, Ms. Linda Cotten Dodson, 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. Cotten Dodson moved to approve the agenda as written. The motion was seconded by Ms. Caldwell. All voted in favor of accepting the agenda as written.

The second item of the meeting was the minutes’ approval. Mr. Hill moved to approve the agenda as written. The motion was seconded by Ms. Cotten Dodson. 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.

Ms. Cotten Dodson reports a conflict of interest and will refrain from voting on matter 4A of new business regarding the change of control for Greenleaf Memorial Park.

II. **Operations Report** - Mr. Stephens began by presenting the final report from the independent financial audit and asked if there were any questions or comments. There were none. The operations report was provided to the Commissioners and opened for discussion.

III. **Requests from the Public to Address the Commission** - President Gaffney invited any member of the public wishing to address the Commission to come forward. No members of the public wished to speak.

IV. New Business-

- a. **Change of Control for Greenleaf Memorial Park** – Mr. Gaffney directed the Commissioners to the packages of information sent by the current and proposed new owners of Greenleaf Memorial Park. The Commissioners confirmed that all items needed for the change were present. Representatives from both the buyer and seller were present and available for any questions. Mr. Hill made a motion to accept the change of control of Greenleaf Memorial Park from current owners, Linda Cotten, to Mr. Ken Stephens and Mr. Rex Bennett of S & B Resources. The motion was seconded by Mr. Simmons and passed unanimously.

- b. **Readopt Administrative Rules** – All Commissioners received a copy of a list of the administrative rules deemed necessary for the function of the Commission for review. Ms. Cotten Dodson moved to agree and approve the necessity of the attached administrative rules. Ms. Caldwell seconded the motion. Motion passed unanimously.
- c. **Formal Position on Comingling of Trusts** – Mr. Stephens reminded the Commissioners of a formal opinion that was provided by the NC Attorney General’s office regarding the comingling of Commission regulated trusts. The formal response from the Attorney General was included in the meeting materials for reference. The position of the Attorney General was discussed amongst the Commissioners. The Commissioners unanimously agreed with the position of the Attorney General’s office. A motion was made by Ms. Caldwell to approve the recommendation of the Attorney General, which forbids the comingling of cemetery trust accounts. The motion was seconded by Mr. Buchanan. All Commissioners voted in favor and the motion was passed.
- d. **NC House Bill 210 Minimum PC Requirements** – This bill directs the Commission to come up with minimum standards for perpetual care compliance. There was discussion amongst the Commissioners about how to determine standards at variable properties across the state. The difficulty in defining “Perpetual Care” was discussed. Mr. Stephens requested the members to have ideas and proposals ready to discuss at the January meeting.

V. Old Business

- a. **Harnett Devotional Gardens** – Photos and video of the current conditions of the roads and mausoleum at Harnett Devotional Gardens were provided to Commissioners, along with notification of outstanding complaints. A representative from the Commission visited the property to confirm the property’s compliance with its proposed improvements as shown in the formal response from their counsel. It did not appear all items had been addressed. The cemetery is scheduled for a routine inspection at which time the grounds and mausoleum conditions will be reassessed. Discussion of the Commissioners regarding next steps resulted in a motion from Mrs. Cotten referring the matter to the Attorney General for guidance and or action regarding the situation at Harnett Devotional Gardens. The motion was seconded by Mr. Townsend. The motion passed unanimously.

VI.

- a. **LandQuest Legacy Receivership** – Mr. Stephens provided a brief update on the situation at the five cemeteries owned by Kyle Corkum of LandQuest Legacy.
- b. **Shepherd Memorial Park Receivership** – Mr. Gaffney provided an update regarding the receivership at Shepherd Memorial Park. Mr. Gaffney explained that Mrs. Shepherd was successful at the appellate court to stay the sale/auction of the property. The Commission is awaiting further information regarding the status of that appeal.

VII. Reminder of next meeting date

Mr. Gaffney reminded all in attendance that the next scheduled quarterly meeting will take place on January 21, 2025, at 10:00 a.m. at the Hilton in North Hills, Raleigh.

VIII. Adjournment

Ms. Cotten Dodson moved to adjourn the meeting. The motion passed unanimously. The meeting was adjourned.