

## CEMETERY BOARD MEETING

### MINUTES

February 3, 2016

The Cemetery Board met on February 3, 2016, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following members were present:

David Gilliam, Chair  
Randolph Minter, Vice-Chair  
Michael H. Doherty  
Enid Butler  
Armistead Dudley

The following Board members were absent: Padraic Buckley  
R. Kyle McDaniel

DPOR staff present for all or part of the meeting included:

Jay DeBoer, Director  
Christine Martine, Executive Director  
Joe Haughwout, Assistant Director of Adjudication  
Jeffrey Williams, Board Administrator  
Emily Trent, Administrative Assistant

Elizabeth Peay from the Office of the Attorney General was present.

David Gilliam called the meeting to order at 9:00 A.M.

#### **Call to Order**

A motion was made by Mr. Doherty and seconded by Mr. Minter to approve the agenda. The motion passed unanimously. Members voting "Yes" were Butler, Doherty, Dudley, Gilliam and Minter.

#### **Agenda**

A motion was made by Ms. Butler and seconded by Mr. Doherty to approve the October 21, 2015, Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were Butler, Doherty, Dudley, Gilliam and Minter.

#### **Minutes**

Chad Aylestock, Vice-President of the Virginia Cemetery Association, addressed the Board regarding the proposed regulations. Mr. Aylestock is concerned that 47 VAC 190.16 is too broad. No action was taken by the

#### **Public Comment**

Board.

In the matter of **File Number 2016-01554, Angela M. Gregory**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Doherty and seconded by Mr. Minter to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Gregory's application for a cemetery sales personnel registration. The motion passed unanimously. Members voting "Yes" were Butler, Doherty, Dudley, Gilliam and Minter.

**File Number 2016-01554,**  
**Angela M. Gregory**

In the matter of **File Number 2015-02643, Holston View Cemetery Development Company Incorporated**, the Board reviewed the Consent Order as seen and agreed to by Holston View Cemetery Development Company Incorporated. A motion was made by Mr. Doherty and seconded by Ms. Butler to accept the proposed Consent Order offer wherein Holston View Cemetery Development Company Incorporated, admits to a violation of 18 VAC 47-20-190.11 (Count 1) of the Board's 2000 Regulations and agrees to a monetary penalty of \$100.00, as well as \$150.00 in Board costs, for a total of \$250.00. The motion passed unanimously. Members voting "Yes" were Butler, Doherty, Dudley, Gilliam and Minter.

**File Number 2015-02643,**  
**Holston View Cemetery**  
**Development Company**  
**Incorporated**

In the matter of **File Number 2016-00247, Monta Vista Memorial Gardens**, the Board reviewed the Consent Order as seen and agreed to by Monta Vista Memorial Gardens. A motion was made by Mr. Minter and seconded by Mr. Doherty to accept the proposed Consent Order offer wherein Monta Vista Memorial Gardens, admits to a violation of 18 VAC 47-20-190.13 (Count 1) of the Board's 2000 Regulations and agrees to a monetary penalty of \$150.00, for a total of \$150.00. Further, the Board shall waive imposition of the \$150.00 monetary penalty for Count 1, based on the fact that Monta Vista Memorial Gardens & Maus Inc. corrected the maintenance issues. The motion passed unanimously. Members voting "Yes" were Butler, Doherty, Dudley, Gilliam and Minter.

**File Number 2016-00247,**  
**Monta Vista Memorial**  
**Gardens**

In the matter of **File Number 2016-00461, Roselawn Development, LLC**, the Board reviewed the Consent Order as seen and agreed to by Roselawn Development, LLC. A motion was made by Ms. Butler and seconded by Mr. Doherty to accept the proposed Consent Order offer wherein Roselawn Development, LLC, admits to a violation of §54.1-2327.A (Count 1) of the *Code of Virginia* and agrees to \$150.00 in Board costs, for a total of \$150.00. The motion passed unanimously. Members voting "Yes" were Butler, Doherty, Dudley, Gilliam and Minter.

**File Number 2016-00461,**  
**Roselawn Development,**  
**LLC**

Ms. Martine gave the Board a regulatory review update. A motion was made by Ms. Butler and seconded by Mr. Minter to approve the response as presented to the public comment received by the Board on its proposed regulations. The motion passed by majority vote. Members voting "Yes" were Butler, Dudley, Gilliam and Minter. Member voting "No" was Doherty.

**Administrative Issues**

A motion was made by Mr. Minter and seconded by Mr. Dudley to adopt the proposed regulations presented as the final regulations. The motion passed by majority vote. Members voting "Yes" were Butler, Dudley, Gilliam and Minter. Member voting "No" was Doherty.

The meeting adjourned at 9:33 A.M.

**Adjourn**

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David L. Gilliam, Chair

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Jay DeBoer, Secretary

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