

## CEMETERY BOARD MEETING

### MINUTES

October 19, 2011

The Cemetery Board met on October 19, 2011, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following members were present:

Randolph Gleason, Chair  
David Gilliam, Vice-Chair  
Isabel Berney  
Jane M. Garland  
Pamela Jo Lundy  
Leonard A. Muse

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

Gordon Dixon, Director  
Mark Courtney, Deputy Director  
Christine Martine, Executive Director  
Bonnie Rhea Adams, Director of Complaint  
Analysis & Resolution  
Herb Nichols, Investigator  
Earlyne Perkins, Legal Analyst  
Emily Trent, Administrative Assistant

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

Randolph Gleason called the meeting to order at 9:06 A.M.

#### **Call to Order**

A motion was made by Ms. Lundy and seconded by Mr. Muse to approve the agenda. The motion passed unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

#### **Agenda**

A motion was made by Mr. Muse and seconded by Ms. Berney to approve the June 15, 2011, Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

#### **Minutes**

Mike Doherty, Virginia Cemetery Association (VCA) member, addressed the Board to express representation of the VCA. No action was taken by the Board.

#### **Public Comment**

In the matter of **File Number 2011-05045, Pamela C. Bailey**, the Board reviewed the Consent Order as seen and agreed to by Ms. Bailey. A motion was made by Ms. Berney and seconded by Mr. Gilliam to accept the proposed Consent Order offer wherein Pamela C. Bailey admits to a violation of §54.1-2327.A (Count 1) of the *Code of Virginia*, and agrees to no monetary penalty and \$150.00 in Board costs, for a total of \$150.00. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

**File Number 2011-05045,**  
**Pamela C. Bailey**

In the matter of **File Number 2011-05046, Pamela C. Bailey**, the Board reviewed the Consent Order as seen and agreed to by Ms. Bailey. A motion was made by Ms. Berney and seconded by Mr. Gilliam to accept the proposed Consent Order offer wherein Pamela C. Bailey admits to a violation of §54.1-2327.A (Count 1) of the *Code of Virginia*, and agrees to no monetary penalty and \$150.00 in Board costs, for a total of \$150.00. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

**File Number 2011-05046,**  
**Pamela C. Bailey**

In the matter of **File Number 2011-04650, Greenlawn, LLC**, the Board reviewed the Consent Order as seen and agreed to by Greenlawn, LLC. A motion was made by Mr. Muse and seconded by Ms. Lundy to accept the proposed Consent Order offer wherein Greenlawn, LLC, admits to 3 violations of §54.1-2325 (Count 1) of the *Code of Virginia*, and admits to 3 violations of §54.1-2319 (Count 2) of the *Code of Virginia* and agrees to \$150.00 for the violations contained in Count 1, \$150.00 for the violations contained in Count 2, and \$150.00 in Board costs, for a total of \$450.00. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

**File Number 2011-04650,**  
**Greenlawn, LLC**

In the matter of **File Number 2011-04711, Jenee Martell Leger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leger. A motion was made by Mr. Gilliam and seconded by Mr. Muse to accept the proposed Consent Order offer wherein Jenee Martell Leger admits to a violation of 18 VAC 47-20-190.6 (Count 1) of the 2000 Board Regulations, and agrees to \$1,000.00 monetary penalty for the violation contained in Count 1 and \$150.00 in Board costs, for a total of \$1,150.00. For the violation of Count 1, the Board shall waive imposition of the \$1,000.00 monetary penalty, and in exchange, Leger agrees to voluntarily surrender her salesperson registration within fifteen (15) days of the effective date of the order. In addition, Leger agrees not to apply for a cemetery salesperson registration in Virginia for a period of fifty (50) years from the effective date of the order. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam,

**File Number 2011-04711,**  
**Jenee Martell Leger**

Gleason, Lundy and Muse.

In the matter of **File Number 2011-04712, Jenee Martell Leger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leger. A motion was made by Mr. Gilliam and seconded by Mr. Muse to accept the proposed Consent Order offer wherein Jenee Martell Leger admits to a violation of 18 VAC 47-20-190.6 (Count 1) of the 2000 Board Regulations, and agrees to \$1,000.00 monetary penalty for the violation contained in Count 1 and no Board costs, for a total of \$1,000.00. For the violation of Count 1, the Board shall waive imposition of the \$1,000.00 monetary penalty, and in exchange, Leger agrees to voluntarily surrender her salesperson registration within fifteen (15) days of the effective date of the order. In addition, Leger agrees not to apply for a cemetery salesperson registration in Virginia for a period of fifty (50) years from the effective date of the order. Board costs have been imposed in the Consent Order for the companion file 2011-04711 where the Respondent is the same individual. Therefore, Board costs are not imposed for this file. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

**File Number 2011-04712,**  
**Jenee Martell Leger**

In the matter of **File Number 2011-04715, Jenee Martell Leger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leger. A motion was made by Mr. Gilliam and seconded by Mr. Muse to accept the proposed Consent Order offer wherein Jenee Martell Leger admits to a violation of 18 VAC 47-20-190.6 (Count 1) of the 2000 Board Regulations, and agrees to \$1,000.00 monetary penalty for the violation contained in Count 1 and no Board costs, for a total of \$1,000.00. For the violation of Count 1, the Board shall waive imposition of the \$1,000.00 monetary penalty, and in exchange, Leger agrees to voluntarily surrender her salesperson registration within fifteen (15) days of the effective date of the order. In addition, Leger agrees not to apply for a cemetery salesperson registration in Virginia for a period of fifty (50) years from the effective date of the order. Board costs have been imposed in the Consent Order for the companion file 2011-04711 where the Respondent is the same individual. Therefore, Board costs are not imposed for this file. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

**File Number 2011-04715,**  
**Jenee Martell Leger**

In the matter of **File Number 2011-04719, Jenee Martell Leger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leger. A motion was made by Mr. Gilliam and seconded by Mr. Muse to accept the proposed Consent Order offer wherein Jenee Martell Leger admits to a violation of 18 VAC 47-20-190.6 (Count 1) of the 2000 Board Regulations, and agrees to \$1,000.00 monetary penalty for the violation

**File Number 2011-04719,**  
**Jenee Martell Leger**

contained in Count 1 and no Board costs, for a total of \$1,000.00. For the violation of Count 1, the Board shall waive imposition of the \$1,000.00 monetary penalty, and in exchange, Leger agrees to voluntarily surrender her salesperson registration within fifteen (15) days of the effective date of the order. In addition, Leger agrees not to apply for a cemetery salesperson registration in Virginia for a period of fifty (50) years from the effective date of the order. Board costs have been imposed in the Consent Order for the companion file 2011-04711 where the Respondent is the same individual. Therefore, Board costs are not imposed for this file. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

In the matter of **File Number 2011-04721, Jenee Martell Leger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leger. A motion was made by Mr. Gilliam and seconded by Mr. Muse to accept the proposed Consent Order offer wherein Jenee Martell Leger admits to a violation of 18 VAC 47-20-190.6 (Count 1) of the 2000 Board Regulations, and agrees to \$1,000.00 monetary penalty for the violation contained in Count 1 and no Board costs, for a total of \$1,000.00. For the violation of Count 1, the Board shall waive imposition of the \$1,000.00 monetary penalty, and in exchange, Leger agrees to voluntarily surrender her salesperson registration within fifteen (15) days of the effective date of the order. In addition, Leger agrees not to apply for a cemetery salesperson registration in Virginia for a period of fifty (50) years from the effective date of the order. Board costs have been imposed in the Consent Order for the companion file 2011-04711 where the Respondent is the same individual. Therefore, Board costs are not imposed for this file. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

**File Number 2011-04721,**  
**Jenee Martell Leger**

In the matter of **File Number 2011-04728, Jenee Martell Leger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leger. A motion was made by Mr. Gilliam and seconded by Mr. Muse to accept the proposed Consent Order offer wherein Jenee Martell Leger admits to a violation of 18 VAC 47-20-190.6 (Count 1) of the 2000 Board Regulations, and agrees to \$1,000.00 monetary penalty for the violation contained in Count 1 and no Board costs, for a total of \$1,000.00. For the violation of Count 1, the Board shall waive imposition of the \$1,000.00 monetary penalty, and in exchange, Leger agrees to voluntarily surrender her salesperson registration within fifteen (15) days of the effective date of the order. In addition, Leger agrees not to apply for a cemetery salesperson registration in Virginia for a period of fifty (50) years from the effective date of the order. Board costs have been imposed in the Consent Order for the companion file 2011-04711 where the Respondent

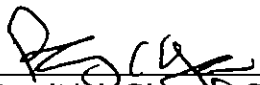
**File Number 2011-04728,**  
**Jenee Martell Leger**

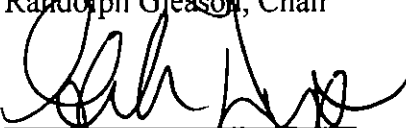
is the same individual. Therefore, Board costs are not imposed for this file. The motion passed by unanimously. Members voting "Yes" were Berney, Garland, Gilliam, Gleason, Lundy and Muse.

Ms. Peay gave the Board an update on Stonecrest Financial Inc. t/a **Old Business** Meadow-Brooke Memorial Gardens' bankruptcy case. No action was taken by the Board.

The meeting adjourned at 9:16 A.M.

**Adjourn**

  
\_\_\_\_\_  
Randolph Gleason, Chair

  
\_\_\_\_\_  
Gordon Dixon, Secretary

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Leonard A. Muse  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: October 19, 2011  
(Date)

5. I have a personal interest in the following transaction:


\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession,  
occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_  
\_\_\_\_\_

- I am able to participate in this transaction fairly, objectively, and in the  
public interest.
- or
- I did not participate in the transaction.
6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

10/19/2011  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Pamela Jo Lundy  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: October 19, 2011  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Pamela J. Lundy  
Signature

October 19, 2011  
Date

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: David Gilliam  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: October 19, 2011  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession,  
occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_  
\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the  
public interest.

or

I did not participate in the transaction.

I do not have a personal interest in any transactions taken at this meeting.

David L. Gilliam  
Signature

10/19/11  
Date



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Isabel Berney  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: October 19, 2011  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession,  
occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_  
\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the  
public interest.

or

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Isabel Berney  
Signature

10-19-11  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Jane M. Garland  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: October 19, 2011  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession,  
occupation or group, the members of which are affected by the transaction:

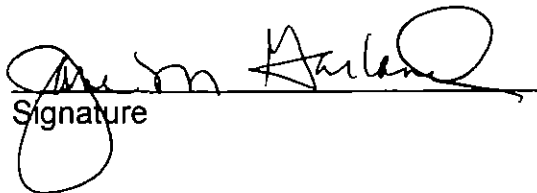
\_\_\_\_\_  
\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the  
public interest.

or

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

  
Signature

19 Oct 2011  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Randolph Gleason  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: October 19, 2011  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession,  
occupation or group, the members of which are affected by the transaction:


\_\_\_\_\_  
\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the  
public interest.

or

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

10/19/11  
\_\_\_\_\_  
Date