

CEMETERY BOARD MEETING

MINUTES

February 26, 2003

The Cemetery Board met on February 26, 2003, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. The following members were present:

Kenneth R. Bell, Chairman  
Carol W. Black  
Mike Doherty  
David Mark Farris, II  
Randy Minter

Board members Marcietia S. Glenn and Anton Stelly were not present for the meeting.

Also present were:

Karen W. O'Neal, Deputy Director  
Christine Martine, Executive Director  
Camille C. Palmer, Administrative Assistant

Present for a portion of the meeting were:

Louise Fontaine Ware, Director  
Susan Garbini, Legal Assistant  
Herbert Nichols, Investigator  
Earlyne Perkins, Legal Assistant  
Victoria Traylor, Legal Assistant

Mr. Bell called the meeting to order at 10:10 a.m.

During the **Public Comment** period, Mr. Bell requested the public to introduce themselves to the Board. **Public Comment**

Mr. Arthur Ratcliffe addressed the Board, discussing an e-mail Mr. Ratcliffe received concerning SCI's use of an Interment Order and Authorization form. Mr. Ratcliffe distributed a copy of the e-mail requesting the Board look at this matter.

Upon a properly seconded motion by Mr. Doherty, the Board approved the **agenda**. Voting for this action were Bell, Black, Doherty, Minter, and Farris. **Agenda**

Upon a properly seconded motion by Mr Minter, the Board voted to approve the **November 13, 2002 Cemetery Board Meeting minutes**. Voting for this action were Bell, Black, Doherty, Minter, and Farris

Minutes

The Board considered the matter of **Jet Industries, Inc., File Number 2002-03183** Upon a properly seconded motion by Mr Doherty, the Board voted to accept the recommendation contained in the Summary of Informal Fact Finding Conference finding a violation of the Board's 2000 Regulation 18 VAC 47-20-190(11) with no sanction

Jet Industries, Inc.  
File Number 2002-  
03183

Voting for this action were Bell, Black, Doherty, and Farris  
Mr Minter, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter

The Board considered the matter of **Clinch Valley Memorial Cemetery, Inc., File Number 2002-03713** Mr Chancey L Royster, Stewart Enterprises, was present to answer any questions Upon a properly seconded motion by Mr Doherty, the Board voted to accept the recommendation contained in the Summary of Informal Fact Finding Conference finding a violation of § 54 1-2322 of the Code of Virginia with no sanction

Clinch Valley  
Memorial Cemetery,  
Inc.  
File Number 2002-  
03713

Voting for this action were Bell, Black, Doherty, and Farris  
Mr Minter, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter

The Board considered the matter of **Greenhills Memory Gardens, Inc., File Number 2002-03714** Mr Chancey L Royster, Stewart Enterprises, was present to answer any questions Upon a properly seconded motion by Mr Doherty, the Board voted to accept the recommendation contained in the Summary of Informal Fact Finding Conference finding a violation of § 54 1-2322 of the Code of Virginia with no sanction

Greenhills Memory  
Gardens, Inc.  
File Number 2002-  
03714

Voting for this action were Bell, Black, Doherty, and Farris  
Mr Minter, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter

Upon a properly seconded motion by Mr Bell, the Board voted to initiate an investigation of Greenhills Memory Garden, Inc to

determine whether the preneed trust complies with statutory requirements

Voting for this action were Bell, Black, Doherty and Farris Mr Minter, who conducted the Informal Fact Finding Proceeding did not participate in the discussion or vote in this matter

The Board considered the matter of **Wise Corporation, File Number 2002-03719** Mr Chancey L Royster, Stewart Enterprises, was present to answer any questions Upon a properly seconded motion by Mr Doherty, the Board voted to accept the recommendation contained in the Summary of Informal Fact Finding Conference finding a violation of § 54 1-2322 of the Code of Virginia with no sanction

**Wise Corporation**  
**File Number 2002-03719**

Voting for this action were Bell, Black, Doherty, and Farris Mr Minter, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter

The Board considered the matter of **Blue Ridge Memorial Gardens, Inc., File Number 2002-03720** Mr Chancey L Royster, Stewart Enterprises, was present to answer any questions Upon a properly seconded motion by Mr Doherty, the Board voted to accept the recommendation contained in the Summary of Informal Fact Finding Conference finding a violation of § 54 1-2322 of the Code of Virginia with no sanction

**Blue Ridge Memorial Gardens, Inc.**  
**File Number 2002-03720**

Voting for this action were Bell, Black, Doherty, and Farris Mr Minter, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter

The Board considered the matter of **Holly Memorial Gardens, Inc., File Number 2002-03715** Mr Chancey L Royster, Stewart Enterprises, was present to answer any questions Upon a properly seconded motion by Mr Doherty, the Board voted to accept the recommendation contained in the Summary of Informal Fact Finding Conference finding a violation of § 54 1-2319 of the Code of Virginia for Count I

**Holly Memorial Gardens, Inc.**  
**File Number 2002-03715**

Voting for this action were Bell, Black, Doherty, and Farris Mr Minter, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter

Upon a properly seconded motion by Mr Doherty, the Board voted to reject the recommendation contained in the Summary of Informal Fact Finding Conference finding no violation for Count II

Voting for this action were Bell, Black, Doherty, and Farris Mr Minter, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter

Upon a properly seconded motion by Mr Doherty, the Board voted to accept the recommendation of the sanction contained in the Summary of Informal Fact Finding Conference for Count I imposing a monetary penalty of \$250 00

Voting for this action were Bell, Black, Doherty, and Farris Mr Minter, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter

The Board considered the matter of **Richmond Memorial Park, File Number 2002-03717** Mr Chancey L Royster, Stewart Enterprises, was present to answer any questions Upon a properly seconded motion by Mr Doherty, the Board voted to accept the recommendation contained in the Summary of Informal Fact Finding Conference finding a violation of § 54 1-2319 of the Code of Virginia for Count I

**Richmond Memorial  
Park, Inc.**  
**File Number 2002-  
03717**

Voting for this action were Bell, Black, Doherty, and Farris Mr Minter, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter

Upon a properly seconded motion by Mr Doherty, the Board voted to reject the recommendation contained in the Summary of Informal Fact Finding Conference finding no violation for Count II

Voting for this action were Bell, Black, Doherty, and Farris Mr Minter, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter

Upon a properly seconded motion by Mr Doherty, the Board voted to accept the recommendation of the sanction contained in the Summary of Informal Fact Finding Conference for Count I imposing a monetary penalty of \$250 00

Voting for this action were Bell, Black, Doherty, and Farris Mr Minter, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in

this matter

Upon a properly seconded motion by Mr Bell, the Board voted to initiate an investigation of Wise Corporation, Blue Ridge Memorial Gardens, Inc , and Richmond Memorial Park, Inc to determine whether the preneed trust complies with statutory requirements

Voting for this action were Bell, Black, Doherty, and Farris Mr Minter, who conducted the Informal Fact Finding Proceeding, did not participate in the discussion or vote in this matter

Mr Bell opened the floor for nomination of officers Upon a properly seconded motion by Mr Doherty, Mr Bell was nominated as Chairman Mr Bell was elected Chairman Voting for this action were Bell, Black Doherty, Farris, and Minter

**Election of Officers**

Upon a properly seconded motion by Mr Doherty, Mr Minter was nominated as Vice-Chairman Mr Minter was elected Vice-Chairman Voting for this action were Bell, Black, Doherty Farris, and Minter

The Board recessed at 11 15 a m and reconvened at 11 33 a m

**Recess**

Mr James L Guffey, Deputy Director for Enforcement conducted Board member training

**Board Member Training**

The meeting adjourned at 1 20 p m

**Adjourn**

  
\_\_\_\_\_  
Kenneth R Bell, Chairman

  
\_\_\_\_\_  
Louise Fontaine Ware, Secretary

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\_\_\_\_\_  
Custodian of the Records

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1      Name            Carol W Black  
2      Title             Member - Virginia Cemetery Board  
3      Agency           Department of Professional and Occupational Regulation  
4      Transaction      Board Meeting  
5      Nature of Personal Interest Affected by Transaction None

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6      I declare that

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction \_\_\_\_\_

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(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Dated                February 26, 2003

Signature



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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1      Name            David Mark Farris, II  
2      Title             Vice-Chairman - Virginia Cemetery Board  
3      Agency           Department of Professional and Occupational Regulation  
4      Transaction      Board Meeting  
5      Nature of Personal Interest Affected by Transaction \_\_\_\_\_  
\_\_\_\_\_

6      I declare that

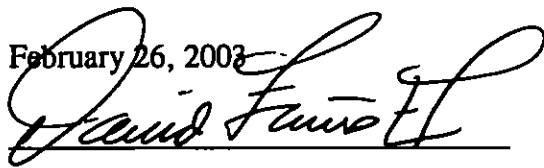
(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction \_\_\_\_\_  
\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Dated

February 26, 2003

Signature



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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1      Name            Mike Doherty  
2      Title            Member - Virginia Cemetery Board  
3      Agency          Department of Professional and Occupational Regulation  
4      Transaction    Board Meeting  
5      Nature of Personal Interest Affected by Transaction \_\_\_\_\_  
\_\_\_\_\_

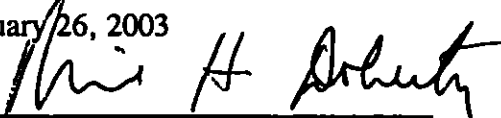
6      I declare that

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction \_\_\_\_\_  
\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Dated            February 26, 2003

Signature





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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1      Name            Randy Minter  
2      Title.            Member - Virginia Cemetery Board  
3      Agency           Department of Professional and Occupational Regulation  
4      Transaction      Board Meeting  
5      Nature of Personal Interest Affected by Transaction \_\_\_\_\_  
\_\_\_\_\_

6      I declare that

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction \_\_\_\_\_  
\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Dated            February 26, 2003

Signature       Randy T. Minter

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1    Name        Kenneth R. Bell  
2    Title        Chairman - Virginia Cemetery Board  
3    Agency       Department of Professional and Occupational Regulation  
4    Transaction   Board Meeting  
5    Nature of Personal Interest Affected by Transaction \_\_\_\_\_  
\_\_\_\_\_

6    I declare that

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction \_\_\_\_\_  
\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Dated:        February 26, 2003

Signature     \_\_\_\_\_  
