

## CEMETERY BOARD MEETING

### MINUTES

February 19, 2020

The Cemetery Board met on February 19, 2020, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following members were present:

Randolph Minter, Chair  
Michael H. Doherty, Vice-Chair  
Armistead Dudley  
Enid Butler  
James A. Meadows, Jr.  
Judy S. Lyttle  
Marx Eisenman, Jr.

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

Mary Broz-Vaughan, Director  
Christine Martine, Executive Director  
James Chapman, Board Administrator  
Emily Trent, Administrative Assistant

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

Randolph Minter called the meeting to order at 10:05 A.M.

#### **Call to Order**

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

#### **Agenda**

A motion was made by Mr. Doherty and seconded by Ms. Butler to approve the September 18, 2019, Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were Butler, Doherty, Dudley, Eisenman, Lyttle, Meadows and Minter.

#### **Minutes**

Don Wilson spoke about electing Total Return Trust for one of his cemeteries. No action was taken by the Board.

#### **Public Comment**

In the matter of **File Number 2020-01085, George Morris Mehaffey, Jr.**, 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 Board member. A motion was made by Mr. Eisenman and seconded by Ms. Lyttle to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve George Morris Mehaffey, Jr. as the trustee of the perpetual care and preneed trust funds for Fair Haven Memorial Park, LLC. The motion passed unanimously. Members voting "Yes" were Butler, Dudley, Eisenman, Lyttle, Meadows and Minter.

**File Number 2020-01085,  
George Morris Mehaffey,  
Jr.**

As the presiding Board member, Mr. Doherty did not vote or participate in this matter.

In the matter of **File Number 2019-01005, Greenlawn Memory Gardens Incorporated t/a Roselawn Memory Gardens**, the Board reviewed the Consent Order as seen and agreed to by Greenlawn Memory Gardens Incorporated t/a Roselawn Memory Gardens. Elizabeth Gassman, compliance agent for the respondent, was present and addressed the Board. A motion was made by Ms. Lyttle and seconded by Ms. Butler to accept the proposed Consent Order offer wherein Greenlawn Memory Gardens Incorporated t/a Roselawn Memory Gardens admits to a violation of §54.1-2319 (Count 1) of the *Code of Virginia*, §54.1-2325.A (Count 2) of the *Code of Virginia*, and §54.1-2325.A (Count 3) 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, Dudley, Eisenman, Lyttle, Meadows and Minter.

**File Number 2019-01005,  
Greenlawn Memory  
Gardens Incorporated t/a  
Roselawn Memory  
Gardens**

As the Board member who reviewed the file, Mr. Doherty did not vote or participate in the discussion in this matter.

Mr. Minter turned the position of Chair over to Mr. Doherty.

**Transfer of Chair**

In the matter of **File Number 2019-01760, Danville Memorial Gardens, Inc.**, the Board reviewed the Consent Order as seen and agreed to by Danville Memorial Gardens, Inc. A motion was made by Ms. Lyttle and seconded by Mr. Eisenman to accept the proposed Consent Order offer wherein Danville Memorial Gardens, Inc., admits to a violation of §54.1-2319 (Count 1) of the *Code of Virginia*, and a violation of §54.1-2325.A (Count 2) of the *Code of Virginia*, and agrees to \$1,000.00 for the violation contained in Count 1, \$1,200.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$2,350.00. The motion passed unanimously. Members voting "Yes" were Butler, Doherty, Dudley, Eisenman, Lyttle and Meadows.

**File Number 2019-01760,  
Danville Memorial  
Gardens, Inc.**

As the Board member who reviewed the file, Mr. Minter did not vote or participate in the discussion in this matter.

In the matter of **File Number 2019-02449, Alleghany Memorial Park, LLC**, the Board reviewed the Consent Order as seen and agreed to by Alleghany Memorial Park, LLC. A motion was made by Ms. Butler and seconded by Ms. Lyttle to accept the proposed Consent Order offer wherein Alleghany Memorial Park, LLC, admits to a violation of 18 VAC 47-20-190.11 (Count 1) of the Board's 2016 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. Further, the Board shall waive the imposition of the \$500.00 monetary penalty for Count 1 provided Alleghany Memorial Park LLC submits to the Board, within ninety (90) days of the effective date of the Order, proof that the grave sites and the cemetery grounds issues noted in the Report of Findings are resolved.

If Alleghany Memorial Park LLC fails to comply with the stated condition, the full monetary penalty will be automatically imposed. The motion passed unanimously. Members voting "Yes" were Butler, Doherty, Dudley, Eisenman, Lyttle and Meadows.

As the Board member who reviewed the file, Mr. Minter did not vote or participate in the discussion in this matter.

Mr. Minter returned and assumed the position of Chair.

**File Number 2019-02449, Alleghany Memorial Park, LLC**

**Transfer of Chair**

The Board reviewed the Board financial statement as presented. No action was taken by the Board.

**Administrative Issues**

A motion was made by Mr. Eisenman and seconded by Ms. Butler to approve an exempt a regulatory action for temporary fee reduction of the renewal fees for the Cemetery Board. The motion passed unanimously. Members voting "Yes" were Butler, Doherty, Dudley, Eisenman, Lyttle, Minter and Meadows.

Mr. Doherty gave an update on legislation the Virginia Cemetery Association is following during the 2020 General Assembly session. No action was taken by the Board.

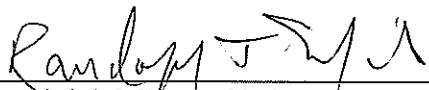
**New Business**

The Board discussed Total Return Trust and the possibility of requiring Board approval. No action was taken by the Board.

**Old Business**

The meeting adjourned at 10:36 A.M.

**Adjourn**

  
\_\_\_\_\_  
Randolph Minter, Chair

  
\_\_\_\_\_  
Mary Broz-Vaughan, Secretary

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: James A. Meadows, Jr.  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: February 19, 2020  
(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

2/19/20  
\_\_\_\_\_  
Date

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

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

1. Name: Enid W. Butler  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemeterly Board  
(Name of Board)
4. Meeting/IFF Date: February 19, 2020  
(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.

Enid Butler  
Signature

2/19/20  
Date



STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Judy S. Lyttle  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: February 19, 2020  
(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.

Judy S. Lyttle  
Signature

2/19/2020  
Date



STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Marx 'Mike' Eisenman, Jr.  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: February 19, 2020  
(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:

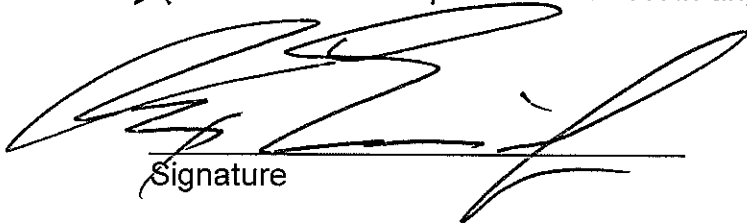
\_\_\_\_\_  
\_\_\_\_\_

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

2/19/20  
Date

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Michael H. Doherty  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: February 19, 2020  
(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.

Michael H. Doherty  
Signature

2-19-2020  
Date

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

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

1. Name: Randolph Minter  
(Name of Board Member)
2. Title: Board Member
3. Agency: Cemetery Board  
(Name of Board)
4. Meeting/IFF Date: February 19, 2020  
(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.

*Randolph Minter*  
Signature

2/19/20  
Date