

CEMETERY BOARD

TENTATIVE AGENDA

Tuesday, September 27, 2022 - 10:00 a.m.
2nd Floor

Department of Professional and Occupational Regulation
9960 Mayland Drive, Richmond, VA 23233
(804) 367-0010

I. CALL TO ORDER

II. ADMINISTRATIVE ISSUES

1. Approval of Agenda
2. Approval of Minutes:
 - A. March 2, 2022, Board Meeting

III. PUBLIC COMMENT PERIOD*

IV. CASES

1. File Number 2023-00074 – Maryia Morton
IFF by Jackson-Bailey – Licensing
2. File Number 2023-00388 – Cheryl Carter
IFF by Smyth – Licensing
3. File Number 2021-02576 – Fair Haven Memorial Park, LLC
Pre-IFF Consent Order by Smyth – Disciplinary
4. File Number 2022-00507 – PVD Acquisitions, LLC
Pre-IFF Consent Order by Dudley – Disciplinary
5. File Number 2022-00524 – Heritage Family Cemetery, Inc.
Pre-IFF Consent Order by Doherty – Disciplinary
6. File Number 2022-00293 – Cemetery Corporation t/a Southlawn Memorial Park
Pre-IFF Consent Order by Meadows – Disciplinary

V. ADMINISTRATIVE ISSUES

- Board Financial Statement

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
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VI. NEW BUSINESS

VII. OLD BUSINESS

VIII. ADJOURN

NEXT MEETING SCHEDULED FOR WEDNESDAY, MARCH 29, 2023

* 5-minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files. No other public comment will be accepted by the Board during the meeting.

Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the Department at (804) 367-8552 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

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CEMETERY BOARD MEETING

MINUTES

March 2, 2022

The Cemetery Board met on March 2, 2022, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following members were present:

Armistead 'Ted' Dudley, Chair
James 'Jim' A. Meadows, Jr., Vice-Chair
Judy S. Lyttle
Caroline Smyth
Enid Butler
Susan Mini
James Young

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

Demetrios J. Melis, Director
Tom Payne, Deputy Director
Christine Martine, Executive Director
Amy Goobic, Executive Assistant

Ted Dudley called the meeting to order at 10:03 A.M.

Call to Order

A motion was made by Ms. Smyth and seconded by Ms. Lyttle to approve the agenda. The motion passed unanimously. Members voting "Yes" were Butler, Dudley, Lyttle, Meadows, Mini, Smyth and Young.

Agenda

A motion was made by Ms. Lyttle and seconded by Ms. Butler to approve the September 29, 2021, Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were Butler, Dudley, Lyttle, Meadows, Mini, Smyth and Young.

Minutes

There was no public comment.

Public Comment

In the matter of **File Number 2021-01515, David Campbell**, the Board reviewed the Consent Order as seen and agreed to by Mr. Campbell. A motion was made by Ms. Lyttle and seconded by Mr. Meadows to accept

**File Number 2021-01515,
David Campbell**

the proposed Consent Order offer wherein Campbell admits to a violation of §54.1-2319 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$200.00 for the violation contained in Count 1, for a total of \$200.00. The motion passed unanimously. Members voting “Yes” were Butler, Dudley, Lyttle, Meadows, Mini, Smyth and Young.

In the matter of **File Number 2021-02427, 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. Smyth 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 \$1,000.00 for the violation contained in Count 1, and \$150.00 in Board costs, for a total of \$1,150.00. The motion passed unanimously. Members voting “Yes” were Butler, Dudley, Lyttle, Meadows, Mini, Smyth and Young.

File Number 2021-02427,
Alleghany Memorial
Park, LLC

In the matter of **File Number 2021-02578, FV Cemetery Company, Inc.**, the Board reviewed the Consent Order as seen and agreed to by FV Cemetery Company, Inc. A motion was made by Ms. Smyth and seconded by Ms. Butler to accept the proposed Consent Order offer wherein FV Cemetery Company, Inc., admits to a violation of 54.1-2322.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, Dudley, Lyttle, Meadows, Mini, Smyth and Young.

File Number 2021-02578,
FV Cemetery Company,
Inc.

Mr. Dudley turned the position of Chair over to Mr. Meadows and recused himself from the meeting.

Transfer of Chair

In the matter of **File Number 2020-02820, Greenlawn, LLC**, the Board reviewed the Consent Order as seen and agreed to by Greenlawn, LLC. A motion was made by Ms. Lyttle and seconded by Ms. Mini to accept the proposed Consent Order offer wherein Greenlawn, LLC, admits to a violation of 18 VAC 47-20-190.12 to wit: § 54.1-2324.A & B of the *Code of Virginia* (Count 1) of the Board’s 2000 Regulations, and a violation of 18 VAC 47-20-190.12 to wit: § 54.1-2324.A & B of the *Code of Virginia* (Count 2) of the Board’s 2000 Regulations, and agrees to a monetary penalty of \$2,000.00 for the violation contained in Count 1, \$2,000.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$4,150.00. In addition, for violation of Count 1, Greenlawn LLC agrees to provide the Board with Annual Reports containing the corrections to the original and revised Perpetual Care Trust Fund Financial Report for the fiscal year ending on December 31, 2018, for the outstanding discrepancies regarding deposits, deductions from principal,

File Number 2020-02820,
Greenlawn, LLC

reimbursements of expenses, and total assets as outlined in the Report of Findings. Further, for violation of Count 2, Greenlawn LLC agrees to provide the Board with Annual Reports containing the corrections to the original and revised Preneed Trust Fund Financial Reports for the fiscal year ending on December 31, 2018, for the outstanding discrepancies regarding deposits/ deductions from principal and total assets as outlined in the Report of Findings. The Board shall waive \$750.00 of the monetary penalty for Count 1 and Count 2 provided Greenlawn LLC provides a notarized CPA audit which declares compliance with Section § 54.1-2324 and § 54.1-2333 of the Code of Virginia within sixty (60) days of the entry of the Order. If Greenlawn LLC fails to comply with this condition, then the full monetary penalty will be automatically imposed. The motion passed unanimously. Members voting “Yes” were Butler, Lyttle, Meadows, Mini, Smyth and Young.

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

Mr. Dudley returned and assumed the position of Chair.

Transfer of Chair

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

Administrative Issues

Mr. Melis introduced himself to the Board.

New Business

Ms. Martine gave the Board a legislative update. No action was taken by the Board.

The meeting adjourned at 10:14 A.M.

Adjourn

Armistead ‘Ted’ Dudley, Chair

Demetrios J. Melis, Secretary

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**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Cemetery Board
954620**

2022-2024 Biennium

July 2022

	July 2022 Activity	Biennium-to-Date Comparison	
		July 2020 -	July 2022 -
Cash/Revenue Balance Brought Forward			25,329
Revenues	17,710	15,200	17,710
Cumulative Revenues			43,039
Cost Categories:			
Board Expenditures	384	716	384
Board Administration	942	2,200	942
Administration of Exams	0	0	0
Enforcement	243	255	243
Legal Services	0	0	0
Information Systems	257	630	257
Facilities and Support Services	140	509	140
Agency Administration	469	942	469
Other / Transfers	0	0	0
Total Expenses	2,434	5,253	2,434
Transfer To/(From) Cash Reserves	0	0	0
Ending Cash/Revenue Balance			40,605

Cash Reserve Beginning Balance	75,751	0	75,751
Change in Cash Reserve	0	0	0
Ending Cash Reserve Balance	75,751	0	75,751

Number of Regulators	
Current Month	944
Previous Biennium-to-Date	1,277

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2023 Cemetery Board Meeting Dates
10:00 A.M.

Board Room 2

Wednesday, March 29

Tuesday, September 6