

CEMETERY BOARD MEETING

MINUTES

January 10, 2007

The Cemetery Board met on January 10, 2007, at the Department of Professional and Occupational Regulation (DPOR), 3600 West Broad Street, Richmond, Virginia. The following members were present:

Kenneth R. Bell
Isabel Berney
Mike Doherty
Delores King
Mike Kirsch
Bobby Pollard

The Following Board Members were not present: Randy Gleason

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

Jay W. DeBoer, Director
David Ashe, Chief Deputy Director
Christine Martine, Executive Director
Herb Nichols, Investigator
Earlyne Perkins, Legal Analyst
Chris Olson, Administrative Assistant

No representative from the Office of the Attorney General was present at the meeting.

Mr. Bell called the meeting to order at 9:07 AM

Call to Order

William A. Tucker, a member of the Board for Professional and Occupational Regulation, was present to observe the proceedings of the Board meeting. No one addressed the Board during the Public Comment period.

Public Comment

A motion was made by Mr. Doherty and seconded by Ms. Berney to approve the agenda as amended to include Board member resolutions. The motion passed unanimously. Members voting "Yes" were Bell, Berney, Doherty, King, Kirsch, and Pollard.

Agenda

A motion was made by Mr. Kirsch and seconded by Mr. Doherty to adopt the following minutes: October 17, 2006, Board Meeting. The motion passed unanimously. Members voting "Yes" were Bell, Berney, Doherty, King, Kirsch, and Pollard.

Minutes

In the matter of **File Number 2007-01275 Rosewell Memorial Garden, Inc.**, the Board reviewed the records which consisted of the Consent Order. A motion was made by Ms. Berney and seconded by Mr. Pollard to accept the Consent Order wherein Rosewell Memorial Garden admits to a violation of 18 VAC 47-20-200.C of the Board's 2005 regulations (2 violations) and agrees to a monetary penalty of \$200.00 for each violation contained in Count 1 and agrees to pay \$150.00 in Board costs for a total of \$550.00. The motion passed unanimously. Members voting "Yes" were Bell, Berney, Doherty, King, Kirsch, and Pollard.

**File Number 2007-01275
Rosewell Memorial
Garden, Inc.**

In the matter of **File Number 2007-01276 Heritage Family Cemetery Inc.**, the Board reviewed the record which consisted of the Consent Order. A motion was made by Mr. Kirsch and seconded by Mr. Doherty to accept the Consent Order wherein Heritage Family Cemetery Inc. admits to a violation of 18 VAC 47-20-190.1 of the Board's 2000 Regulations and agrees to a monetary penalty of \$150.00 for the violation contained in Count 1, and agrees to pay \$150.00 in Board costs for a total of \$300.00. The motion passed unanimously. Members voting "Yes" were Bell, Berney, Doherty, King, Kirsch, and Pollard.

**File Number 2007-01276
Heritage Family
Cemetery Inc.**

A motion was made by Mr. Doherty and seconded by Mr. Kirsch to adopt the final regulations as presented. The motion passed unanimously. Members voting "Yes" were Bell, Berney, Doherty, King, Kirsch, and Pollard.

Final Regulations

A motion was made by Mr. Doherty and seconded by Mr. Bell to approve the response to the public comment received by the Board. The motion passed unanimously. Members voting "Yes" were Bell, Berney, Doherty, King, Kirsch, and Pollard.

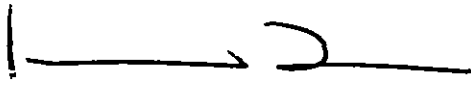
Dr. Marcella Fierro, Chief Medical Examiner, spoke with the Board concerning the possibility of an avian flu pandemic and the readiness of cemeteries during such an event. No action was taken by the Board.

New Business

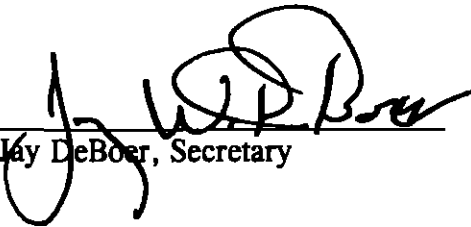
A motion was made by Mr. Doherty and seconded by Mr. Bell to have staff draft resolutions for the following former Board members, Randy Minter, Carol Black, and David Farris. The motion passed unanimously. Members voting "Yes" were Bell, Berney, Doherty, King, Kirsch, and Pollard.

The meeting adjourned at 9:50 AM.

Adjourn



Kenneth Bell, Chairman



Jay DeBoer, Secretary

**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: None
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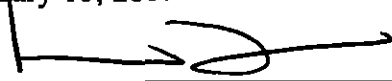
6. I declare that:

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

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

Dated: January 10, 2007

Signature: _____



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

TRANSACTIONAL DISCLOSURE STATEMENT

- 1. Name: Isabel Berney
- 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

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: January 10, 2007

Signature: Isabel Berney

**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: _____

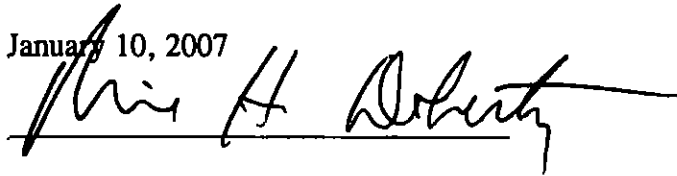
6. I declare that:

(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: January 10, 2007

Signature: _____



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

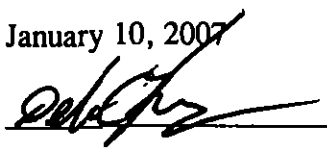
TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Delores C. King
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: _____

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

Dated: January 10, 2007
Signature: 

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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Joseph M. Kirsch
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

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: none

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

Dated: January 10, 2007

Signature: Joseph M. Kirsch, Jr.

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

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Bobby Pollard
2. Title: 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: January 10, 2007

Signature: *Bobby J. Pollard*