

**State Board of Cemeterians
Minutes
September 25, 2007**

A meeting of the State Board of Cemeterians was held on Tuesday September 25, 2007, at 2 Martin Luther King Jr. SE, Room 1410-12 West Tower, Atlanta, Ga. 30334.

Clift Dempsey, President called the meeting to order at 10:05 a.m.

A quorum was established with all members being present:

- Clift Dempsey (President)
- William (Micky) Couey
- Daniel (Dan) Greene
- Emory Lamar
- Mike Lawrence
- Richard Parker
- Tim Smith

Staff Present:

- Bob Terry, Division Director, Securities and Business Regulation Division
- Debra Ferguson, Cemeteries Director, Securities and Business Regulation Division
- Roy White, Registration Supervisor, Securities and Business Regulation Division
- Melissa Marlowe, Senior Investigator, Securities and Business Regulation Division
- Whitney Halterman, Press Office, Office of Secretary of State
- Hazel Greer, Senior Investigator, Securities and Business Regulation Division
- Becky Wallace, Senior Examiner, Securities and Business Regulation Division
- Sandy Irving, Board Secretary, Securities and Business Regulation Division

Others Present:

- Jeff Stump, Assistant Attorney General, Attorney General's Office
- Katherine Ruiz, Paralegal, Attorney General's Office

Mr. Smith moved, Mr. Couey seconded and the minutes of August 28, 2007 meeting were approved.

No public comments were presented at board meeting.

Enforcement Cases Ready for Closing:

ENCM-00175 Copper Ridge Memorial Gardens, Blue Ridge, GA- Maintenance complaint, trash in cemetery and tall grass; Complaint resolved

ENCM-00242 College Park Cemetery, Inc., College Park GA- Installation of marker complaint; Complainant was having difficulty getting marker installed at mother's gravesite; Marker has been installed and complainant is satisfied with outcome.

ENCM-00225 Georgia Memorial Park, Marietta, GA- Contract issue Complainant felt like she had paid for contract in full: Contract had been rewritten several times and cemetery retained interest paid on contract Case was settled by cemetery agreeing to consider contract paid in full.

ENCM-00258 Cedar Ridge Cemetery, Gray, GA- Alleged inconsistent requirements for monument installation; Issues resolved between complainant and cemetery.

ENCM-00260 Hillcrest Abbey East Cemetery, Savannah, GA- Broken vase; Vase was replaced by cemetery; Issue resolved.

ENCM-00261 Gwinnett Memorial Park, Lawrenceville, GA- Maintenance issue- Complaint resolved.

ENCM-00254 Eugene Dukes & Watson- Hunt Funeral Home, Perry, GA- Complaint of unregistered preneed sales agent (Eugene Dukes); No evidence that Mr. Dukes sold preneed.

There was discussion regarding **ENCM-00225** and **ENCM-00254**.

There was discussion regarding procedure for closing of maintenance complaints. Mr. Terry, Division Director, requested that the Secretary of State's office be allowed in the future to close minor maintenance complaints which have been satisfactorily resolved or complaints with no jurisdiction.

The board requested the staff to provide a list of all cases closed by the Secretary State's Office at each meeting. The board also requested to be informed of any formal orders of investigation which have been opened.

Mr. Dempsey moved, Mr. Parker seconded and Mr. Smith abstained and the motion was passed that these cases be closed.

Mr. Lawrence moved, Mr. Couey seconded and the motion was passed to allow the Secretary of State's office to close minor maintenance complaints which have been satisfactorily resolved or which the board has no jurisdiction.

Complaints Opened since last board meeting (Still Pending): Presented by Director of Cemeteries, Debra Ferguson

ENCM-00262 -Sunrise Memorial Gardens, Douglasville, GA- Maintenance complaint.

ENCM-00263 – Hillcrest Abbey East, Savannah, GA- Flowers being removed from grave site; Maintenance issues.

ENCM-00264- Tennessee-Georgia Memorial Park, Rossville, GA- Anonymous complaint was submitted regarding the maintenance of cemetery grounds. Complaint included several photographs of sunken graves.

ENCM-00265- Hillcrest Abbey East, Savannah, GA- Maintenance issues, temporary marker and flowers removed (10 complaints received from Carolyn Jacobi at last meeting- one case opened- similar issues)

ENCM-00266- Forest Lawn Memory Gardens, Savannah, GA- Maintenance issues, damaged markers, and deed issues (3 complaints received from Carolyn Jacobi at last meeting – one case opened- similar issues)

ENCM-00267- Magnolia Memorial Gardens, Savannah, GA- Damaged marker.

ENCM-00268- Wheeler Funeral Home, Covington, GA- Prepaid funeral which did not have disclosure of additional expenses at time of death.

ENCM-00269- Rolling Hills Memory Gardens, Acworth, GA- Maintenance complaint.

ENCM-00270- R W Andrews Mortuary,- Increase in price of cemetery plot from price originally quoted.

ENCM-00272- Forest Hill Memorial Gardens- Forest Park, GA- Disinterment issue- Cemetery requiring consumer purchase vault from cemetery if vault is damaged during disinterment.

Melissa Marlowe, Senior Investigator updated the board with information on Forest Hills Memorial Gardens.

Report of Registration presented by Director of Cemeteries, Debra Ferguson

Merchandise Dealers Infinity, LLC- Walker

Merchandise Dealers application received on July 18, 2007, deficiency was mailed on August 1, 2007 no response to deficiency. Secretary of State's office recommends abandon application

Mr. Parker moved, Mr. Lawrence seconded and the motion was passed to abandon application.

Beaky Wallace, Senior Examiner, presented the board with a list of six (6) cemeteries which have not renewed for 2007:

- Crest Lawn Memorial Park
- Evergreen Memorial Gardens
- Heard County Memorial Gardens, Ltd.
- Woodlawn Memorial Park, Inc.
- Bellevue Memorial Gardens, Inc.
- Pulaski-Bleckley Memorial Gardens

The board requested that orders be prepared for the cemeteries which have not renewed by the time of the next board meeting.

Other Business:

1. Discussion of Open Records request was presented by Division Director, Bob Terry. Mr. Terry requested Secretary of State's office to have authorization to respond to Open Record's request.

Mr. Couey moved, Mr. Green seconded and the motion was passed to approve request.

2. Attorney General's office responded to the board regarding Forest Hills, request for encumbrance of undeveloped property.

Attorney General's Office responded to the board regarding Memorial Garden of Prayer request pertaining to minimum acreage requirements.

Mr. Parker moved and Mr. Smith seconded and the motion was passed for Division Director, Bob Terry, to prepare written response using Attorney General's advice regarding Forest Hills and for the Secretary of State's staff to call Memorial Garden of Prayer requesting a surveyed plat.

3. The board would like to be emailed minutes and other significant items by Friday before each Board Meeting in order to review material before meeting.

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There being no other business the meeting was adjourned at 11: 35 a.m.

Minutes approved by the Board at its October 23, 2007 Board Meeting