

**State Board of Cemeterians
Minutes
June 24, 2008**

A meeting of the State Board of Cemeterians was held on Tuesday June 24, 2008, at 2 Martin Luther King Jr. Drive SE, Room 1410-12 West Tower, Atlanta, Ga. 30334.

Members of the Board in attendance were:

- William (Micky) Couey
- Clift Dempsey
- Emory Lamar
- Daniel Greene
- 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
- Robert Conway, Senior Investigator, Securities and Business Regulation Division
- Lori Young, Investigative Analyst, Securities and Business Regulation Division
- Hazel Greer, Senior Investigator, Securities and Business Regulation Division
- Becky Wallace, Senior Examiner, Securities and Business Regulation Division

Others Present:

- Jeff Stump, Assistant Attorney General, Attorney General's Office
- Katherine Ruiz, Paralegal, Attorney General's Office
- Mike Helmase, Lincoln Cemetery & GCA
- David & Angelia Upshaw, Elite Burial Vault Co.

Meeting was called to order by President Clift Dempsey at 10: 00 a. m.

A quorum was established with four or more board members present.

State Board of Cemeterians Minutes
June 24, 2008
Page 2

Public Comments:

Mike Helmase, Lincoln Cemetery: Presented the following question in regards to Rule 590-3-5.02, "When a subcontractor or vendor violates the rules of the cemetery, who should be notified." Tim Smith explained that the issue is between the cemetery and the subcontractor/vendor. Mike Lawrence stated it is up to the cemetery to file a complaint with the Secretary of State. Mr. Helmase also posed the question that if a monument carving, installation of scrolls or the re-service of a monument is within 365 days of the original installation, is there a fee associated and if not, why not? Mr. Smith stated the fee is a different issue and anyone coming onto cemetery property must comply with the Act and Rules of the Secretary of State as well as the cemetery rules and regulations. Bob Terry stated that Mr. Helmase's questions should be submitted in writing to the Secretary of State's Office.

David Upshaw, Elite Burial Vaults Co.: Presented questions regarding burial vault companies and fees a cemetery can charge such companies. Mr. Upshaw stated there seems to be discrepancies within the rules of the cemeteries. Mr. Dempsey stated that the board will get an answer to Mr. Upshaw.

Angelia Upshaw, Elite Burial Vault Co.: Asked for clarification of fees that can be charged on weekends. The Board will also get back to her with an answer.

Mr. Couey motioned, Mr. Parker seconded and the Board minutes for April 22, 2008, were approved. Mr. Greene motioned, Mr. Lawrence seconded and the Board Minutes from the May 9, 2008, telephonic meeting were approved.

Enforcement Cases Presented for Closing: by Debra Ferguson, Cemeteries Director

ENCM-00297, Douglasville Monument Company
CO-746, Green Acres Cemetery
CO-782, Gordon Memorial Gardens
CO-810, A. S. Turner Funeral Home
CO-824, Lakewood Memorial Gardens & Mausoleum South

Mr. Lamar motioned, Mr. Greene seconded and the motion was passed to close the enforcement cases.

Report of Registrations:

Becky Wallace, Senior Examiner, presented updates on the outstanding applications:

1. Change of Ownership applications for SCI/Alderwoods Merger
2. Resthaven Gardens of Memory

State Board of Cemeterians Minutes
June 24, 2008
Page 3

Roy White, Registration Supervisor, informed the board that renewal notices for registrants which are due 8/1/2008, will be mailed within (1) week.

Rule Making Process: Mr. Parker motioned, Mr. Lawrence seconded and the board approved for the Secretary of State to send proposed Rule 590-3-1.12, to the Attorney General's Office for approval of legal citations and for the Secretary of State to post such rule.

Other Business:

- Debra Ferguson explained the need to set procedures for when a complaint is filed against a board member. Mr. Parker suggested that the board appoint a committee of three to review such complaints. Mr. Dempsey, President, asked for volunteers of the board members to be on a committee to receive complaints or issues involving board members. Jeff Stump suggested that the president be an alternate committee member in case a complaint is filed on a board member who is on the committee. The President will take the place of the committee member of who the complaint was filed against. Mr. Smith motioned, Mr. Parker seconded and committee members were appointed as follows; Mike Lawrence, Emory Lamar and Richard Parker.
- Debra Ferguson presented to the board for informational purposes, a letter from Jerry Fincher regarding "Green Cemetery". Mrs. Ferguson further informed the board that the Secretary of State's office had not received an application for registration from the "Green Cemetery".
- Debra Ferguson presented a copy of a letter from Glenn Haven Cemetery requesting to un-dedicate cemetery property.
- Mr. Smith motioned and Mr. Greene seconded to start a work session committee of three board members to discuss issues involving outside merchandise dealers and vault installation. The motion was passed for the committee to consist of: Richard Parker, Mickey Couey and Mike Lawrence.
- Mr. Lamar moved, Mr. Smith seconded and Richard Parker Richard Parker was elected president of the board effective July 1, 2008.

Mr. Parker moved, Mr. Lawrence seconded and a motion was passed to adjourn the meeting at 11:10 am.

Minutes approved by the Board at its July 22, 2008 Board Meeting.