

Georgia State Board of Cemeterians
Board Meeting Minutes – October 17, 2017 - 11:00 A.M.
Professional Licensing Boards Division of the Secretary of State
237 Coliseum Drive, Macon, Georgia 31217

Members Present:

- Clift Dempsey – Chair
- William (Micky) Couey
- Emory Lamar
- Tim Smith
- Mike Lawrence (via teleconference)

Others Present:

- La Trenda Tyler-Jones, Executive Director
- Sandy Barboza, Board Support Specialist
- Carla Murray, Licensing Analyst
- Amantha Lovett, Complaints
- Jeff Stump, Assistant Attorney General

Member Absent:

- Dan Greene
- Richard Parker – Vice Chair

Note: Visitors are excused during Executive Session unless scheduled for a personal appearance.

Board Member Training:

The Board met with Julie Walters from 11:00 a.m. until 11:40 a.m. for training on the Bridgepoint Software Program.

OPEN SESSION:

Clift Dempsey, Chair, noted a quorum was present, called the meeting to order at 11:52 a.m., and declared the meeting to be “open” pursuant to the Open and Public Meeting Act, O.C.G.A. §§50-14-1 et seq.

Agenda:

The Board reviewed the Agenda for the October 17, 2017 meeting. Micky Couey moved, Tim Smith seconded, and the Board voted to approve the agenda with an amendment to add an item for discussion regarding a cemetery foreclosure presented by Josh Waters.

Minutes:

Micky Couey moved, Emory Lamar seconded, and the Board voted to approve the August 15, 2017 Open Session minutes and Executive Session minutes.

Licenses Issued Report:

The Board reviewed the following Report of Licenses Issued 08-09-2017 thru 10-11-2017 (Total – 30):

License #	Licensee
MD000235	Watkins Monument Company LLC
PA003818	Anna M Tait
PA003819	Jeffery Garland Walls
PA003820	James Richard Nelson, Jr
PA003821	Debbie Elaine Carter
PA003822	Kenneth I Duck
PA003823	Terry Wayne Aronoff
PA003824	Richard Lee Rouse
PA003825	Debra Ann Tonge
PA003826	Tommy William Mastroine
PA003827	Kenneth C Johnston
PA003828	Clark Taber Glenn, Sr

License #	Licensee
PA003829	Lee Allison Adams
PA003830	Kerry Mitchell Protas
PA003831	Matthew Corrigan Jones
PA003832	Karen Marie Libby
PA003833	Allen Lionel Libby
PA003834	Kay W Covey
PA003835	Nicholas Startup
PA003836	Janice M Woods
PA003837	Yana Lynn Mashburn
PA003838	Shainna L McClarty
PA003839	Denise Ann Korn
PA003840	Thomas Francis Schaefer

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License #	Licensee
PA003841	Silvia Yanira Orantes
PA003842	Laurie A Levine
PA003843	Karen Christine Owens

License #	Licensee
PA003844	Clifford Bernard
PA003845	Joseph Ray Anderson
PA003846	Dorthia Shanquisia Dean

Emory Lamar moved, Mike Lawrence seconded, and the Board voted to ratify the licenses issued between meetings in accordance with Board rules and policies.

EXECUTIVE SESSION:

Tim Smith moved, Emory Lamar seconded and the Georgia State Board of Cemeterians voted to enter into Executive Session on Tuesday, October 17, 2017 at 11:57 a.m. in accordance with O.C.G.A. §§ 43-1-19(h), and 43-38 to meet with a complainant, review and discuss applications and complaints and to hear the Attorney General’s report.

At the conclusion of the Executive Session, the Acting declared the meeting to be “open” pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq., at 12:57 p.m. No votes were taken during Executive Session.

OPEN SESSION:

Tim Smith moved, Emory Lamar seconded, and the motion was carried by the Board to ratify the following recommendations on applications made during Executive Session:

Applications:

Application #2693464 – C. S. M. – denied based on results of background check.

Application #2693540 – Green Acres Cemetery Inc. - approved.

Application #2689791 – Cheatham Hill Memorial Park - approved.

Tim Smith moved, Micky Couey seconded, and the motion was carried by the Board to ratify the following recommendations on complaints made during Executive Session:

Complaints:

- i. §CMP-72813 – table for inspection to revisit
- ii. ENCE-0154 – closed - matters of concern resolved
- iii. ENCE-0160 – tabled – Cliff Dempsey will contact the cemetery
- iv. ENCE-0172 – close with letter of recommendation regarding service road – repair and sow grass seed.
- v. ENCE-0173 – tabled – determine who owns the space
- vi. ENCE-0177 – tabled – Clift Dempsey will deliver the letter of concern and speak to owners, reinspect in 45 days
- vii. ENCE-0178 – tabled – send a letter of concern regarding repairs to be made – repairs within 90 days.
- viii. ENCE-0184 – closed – no violations found

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- ix. ENCE-0185 – tabled – refer to investigations to obtain statement regarding burial place and memorial – inspect for maintenance issues.

Lunch Recess 12:57 p.m. – 1:24 p.m.

Executive Session (resumed)

Appointment:

The Board met with a complainant regarding complaint # \$CMP-72813. The complainant addressed the board providing a history on the matter regarding a lack of perpetual care and expressing how difficult it has been to get in touch with the board. Michael Lambrose – Attorney in Atlanta handled receivership; approximately 1998-2000; addressed a chronic problem ongoing since 1977; new photos were presented.

Tim Smith advised most cemetery conditions are weather dependent. La Trenda Tyler-Jones advised she would address staff issues as the complainant requested the Board note approximately 2 months passed prior to receiving a response from the Professional Licensing Board. Cliff Dempsey offered to meet with the complainant and the owner at the cemetery. Compliance will send a referral to Investigations to contact the complainant for a statement. Completed 2:10 p.m.

Complaints:

- x. ENCE-0186 – table – obtain a copy of cemetery rules & regulations and interment rights price list from general manager of the cemetery.
- xi. ENCE-0187 – Letter of concern to management, notify of complaint via certified mail – signature required – La Trenda to call.
- xii. ENCE-0188 – Letter of concern - table – Clift Dempsey will follow up in December
- xiii. ENCE-0189 – table - send a strong letter of concern to management to address maintenance issues within 30 days of receipt of letter / need letter from complainant that it has been satisfied.
- xiv. ENCE-0190 – close – no jurisdiction.
- xv. ENCE-0191 – table – have investigator confirm if cemetery damaged the headstone.
- xvi. ENCE-0192 – table – awaiting Attorney General's advice.
- xvii. ENCE-0193 – close – civil matter – no jurisdiction – send a letter of concern.

Attorney General's Report:

Board reviewed and accepted AG opinion – written legal advice – regarding the sale of niches.

Open Session:

Vote on Executive Session Recommendations:

Tim Smith moved, Emory Lamar seconded and the Board voted to accept the recommendations as polled during Executive Session.

Other Business:

The Board reviewed an inquiry from the City of Columbus regarding burial laws and advised the state does not have established rules. Standards are listed in each individual cemeteries Rules and Regulations.

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Addition to agenda:

Cemetery Foreclosure Inquiry - Josh Waters addressed the Board who then responded to questions presented as follows:

- Unsold interment rights are assets (not lots).
- Must process as a change of ownership.
- Must have a licensed person to sell pre-needs during the foreclosure process – not required to manage the cemetery.
- Need to hire someone to audit the pre-need accounts.

Annual Fee Adjustment:

Clift Dempsey addressed and reviewed the annual fee adjustment on the Secretary of State website, 10-14-17 & 10-14-6. The Board will review the change at the June 2018 meeting. Tim Smith moved, Micky Couey seconded, and the board voted to postpone making any adjustments to deed transfer fees and cite inspection fees for this year.

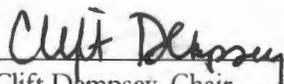
The Georgia State Board Cemeterians will hold their next meeting on December 19, 2017 at 10:00 a.m. via teleconference.

There being no further business, Tim Smith moved, Micky Couey seconded and the Board voted to adjourn at 3:31 p.m.

Minutes recorded by: Sandy Barboza, Board Support Specialist

Minutes reviewed and edited by: La Trena Tyler-Jones, Executive Director

Minutes were approved on: 12/19/2017



Clift Dempsey, Chair
with express permission by
LaTrenda Tyler-Jones, Executive Director



La Trena Tyler-Jones, Executive Director

STATE OF GEORGIA

COUNTY OF BIBB

AFFIDAVIT SUPPORTING CLOSING OF PUBLIC MEETING

The Georgia Open Meetings Act, O.C.G.A 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specified exemptions relied upon. O.C.G. A. 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meetings in question.

Comes Clift Dempsey, the Chairman identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the Georgia State Board of Cemeterians.
2. I am over the age of 18 and in other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and subject to penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On **October 17, 2017** this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of members present voted to close the meeting or a portion hereof of the following indicated reason(s). I hereby certify that that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.
4. The legal authority for closure of this meeting was: O.C.G.A. 43-1-2(k).
5. The subjects discussed and the underlying facts supporting the closing of this meeting are as follows:

Applications and other personal information submitted by the applicants; information, Favorable or unfavorable, submitted by a reference source concerning an applicant; and Deliberations of the Board with respect to an application, an examination, a complaint, an Investigation, or a disciplinary proceeding.

FURTHER THE AFFIANT SAYETH NOT.


PRESIDING OFFICER

Sworn to and subscribed before me this 17th
Day of October, 2017.
Jenny H. Chapman
Notary Public
My Commission Expires: 11/5/17

