

**State Board of Cemeterians
Minutes
July 22, 2008**

A meeting of the State Board of Cemeterians was held on Tuesday July 22, 2008, at 2 Martin Luther King Jr. Drive SE, Room 1410-12 West Tower, Atlanta, Ga. 30334.

Meeting was called to order by President Richard Parker at 10:00 a.m.

Board secretary called roll.

A quorum was established with members present:

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

Absent:

- Daniel (Dan) Greene

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
- Melissa Marlowe, Senior Investigator, Securities and Business Regulation
- Robert Conway, Senior Investigator, Securities and Business Regulation
- Lori Young, Investigator Analyst, Securities and Business Regulation
- Hazel Greer, Senior Investigator, Securities and Business Regulation
- Shirley Hamm, Administrative Specialist, Securities and Business Regulation Division
- Becky Wallace, Senior Examiner, Securities and Business Regulation
- Karlos Emmanuel, (Intern)
- Sandy Irving, Board Secretary, Securities and Business Regulation

Others Present:

- Mike Helmase, Lincoln Cemetery & GCA
- David Upshaw, Elite Burial Vault

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- Ariel Upshaw, Elite Burial Vault Co.
- **Public Comments:**

Mike Helmase, Lincoln Cemetery: Presented the Board with revised ruled and regulation for: Monte Vista Biblical Gardens, Lincoln Cemetery, Inc., Washington Memorial Gardens and Dawn Memorial Park.

David Upshaw, Elite Burial Vaults Co.: Addressed the board stating that if the amended rules provided by Mr. Helmase were allowed, the cemeteries would prevent outside venders from being able to service their customers.

Mr. Parker discussed acceptance of the rules and stated that if a complaint was filed regarding the rules, it would go through the regular complaint process.

Mr. Dempsey motioned, Mr. Lamar seconded and the Board minutes for June 24, 2008, were approved.

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

CO-812 Hillcrest Abbey East
ENCM-00309 Westview Cemetery

Mr. Smith motioned, Mr. Dempsey seconded and the motion was passed to close the enforcement cases.

Mr. Couey moved, Mr. Lawrence seconded, and the Board voted to enter in **EXECUTIVE SESSION** in accordance with O.C.G.A. 50-14-4-(b) and 35-3-38 to review applications, deliberate on disciplinary matters, and to receive information on investigate reports.

Mr. Smith moved, Mr. Lawrence seconded and the Board voted to conclude the **EXECUTIVE SESSION**. The board returned to **Open Session**.

Case I-1051, Johnathan A. Wright

Mr. Dempsey moved, Mr. Couey seconded and the motion passed not to accept the application.

Case I-1077, Mark J. Scott

Mr. Couey moved, Mr. Smith seconded to deny application. Mr. Lawrence moved, and Mr. Dempsey motioned to reconsider application. The board voted to overturn

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the denial of application pending an explanation of questions answered on application.

Case I-I049, Michael Eugene Owens

Mr. Dempsey moved, Mr. Lawrence seconded and the board voted to accept the application.

Registration Issues:

Becky Wallace, Senior Examiner, presented board with update on pending registration issues.

Mr. Smith suggested the Secretary of State's office send letters to all preneed dealers informing them that preneed sales agents should not to be selling preneed until registered.

Mr. Dempsey suggested the Secretary of State's office update the application for preneed sales agents.

Mr. Terry discussed the process of Notice and Proposed Orders.

Mr. Terry presented the board with an update on Crest Lawn Memorial Park. Crest Lawn Memorial Park was referred to the Attorney General's office on October 23, 2007. Crest Lawn is still in contempt. The Attorney General's office wants to know if the board desires to move forward in filing a motion for civil contempt.

Mr. Dempsey moved, Mr. Smith seconded and the board voted to allow the Attorney General's office to seek civil contempt.

Other Business:

Mr. Parker addressed issues regarding installation of scrolls, carvings and resetting of monuments. The issue was tabled until next meeting.

Mr. Smith moved, Mr. Lamar seconded and the board voted to elect Dan Greene as Vice-President.

The meeting was adjourned at 11:22

Minutes approved by the Board at its August 26, 2008 Board Meeting.

