OFFICE OF CEMETERY OVERSIGHT

ADVISORY COUNCIL ON CEMETERY OPERATIONS

MINUTES

DATE: January 23, 2020

TIME: 10:10 a.m. – 12:50

PLACE: Maryland Department of Labor

500 N. Calvert Street

3rd Floor Conference Room

Baltimore, Maryland 21202

**CALL TO ORDER**

Acting Chair Porter called the meeting to order at 10:10 a.m.

**MEMBERS PRESENT**

Frank Porter, Chair

J. Michael Bennett

Rebecca Edmiston

Yvonne Fisher

Craig Huff

Bruce Hultquist

Erich March

Ronald Pearcey

David Zinner

**MEMBERS ABSENT**

Erin Brooks

Colleen Perret

Walter Tegeler

**STAFF PRESENT**

Deborah Rappazzo- Director, Office of Cemetery Oversight

John Hart- Assistant Attorney General, Office of Cemetery Oversight

Leila Whitley-Administrative Aide, Office of Cemetery Oversight

Dreama Anderson- Investigator, Office of Cemetery Oversight

**STAFF ABSENT**

Jay Wilson- Financial compliance Administrator, Office of Cemetery Oversight

**GUEST SPEAKERS**

Adam Allen – Presentation – “Cemeteries and GIS Technology”

**VISITORS**

Richard Cody – Resthaven Memorial Gardens

Nathan Nardi – Archdiocese of Baltimore

Chris Piscitelli – Service Corporation International

Aaron Smoaks – Smoaks Memorials

Carol Toro – Chesapeake Highlands Memorial Gardens LLC

Larry Wilhelm – Forest Ridge Cemetery

**CALL TO ORDER**

Chair Porter called the meeting to order at 10:45 a.m. The agenda for the meeting today was accepted.

**MINUTES**

The minutes from September 26, 2019 and October 24, 2019 were approved.

**EXECUTIVE DIRECTOR’S REPORT**

The last Advisory Council meeting was October 24, 2019, held at Mount Olivet Cemetery in Frederick, Maryland.

Director Rappazzo did a brief introductory of John Hart, the new legal counsel for the Office of Cemetery Oversight (OCO).

Legislative Session Policy

There was a letter from Secretary, Tiffany Robinson, regarding the legislative policy. Counsel, John Hart, briefly went over the letter. An Advisory Council member may testify on a bill on behalf of himself or herself, but not as an Advisory Council member. If a council member is not sure of a bill being determined as a departmental bill, you may call Director Rappazzo. There was some discussion regarding the letter that had some council members questioning the wording of the letter. Chair Porter would like someone to come to an Advisory Council meeting to clarify exactly what the letter is referring too.

Presentation – “Cemeteries and GIS Technology”, by Adam Allen

Geographic Information Systems (GIS) are able to locate tombstone and gravesites. The coordinates can be put on a map. Tables, charts and graphs can be added. Drones can make maps that are more detailed. Drones can also be used for monitoring and change over time; locating and repairing damaged monuments; locating and correcting dangerous monuments; and for cemetery improvements. There are different types of purpose and accidental damage that can be documented with maps from drones.

A suggestion was made for Mr. Allen to do his presentation at an International Cemetery, Cremation and Funeral Association (ICCFA) Conference.

Update

The department is still moving forward with the new computer system. The computer company is still working with the Real Estate Commission, making sure it ensure all the necessary functions are built and working for all of the other boards and commissions. The Real Estate Commission is one of the biggest boards and under the Maryland Department of Labor (MDOL).

Director Rappazzo reminded the council members to complete the ethics and financial forms.

The director announced the resignation of council member Colleen Perret. In addition, there are a few council members’ positions that will be expiring in September of this year. These council members will be notified shortly.

The office move for MDOL has been delayed until November 2021.

**INVESTIGATOR’S REPORT**

The complaint report showed a breakdown of the complaints from January 2, 2020 until the present date. Most of the complaints were regarding memorials.

**FINANCIAL COMPLIANCE REPORT**

The big difference on the financial compliance report is that some cemeteries that were not in compliance in fiscal years 2017 and 2018 are in compliance now.

**LICENSING SPECIALISTS REPORTS**

The office is still working on a more streamlined process. What we have been doing has been working so far.

An information form was sent to all members to update their current information. Therefore, please complete and return them as soon as possible.

Please make sure you sign the attendance sheet.

**LEGISLATIVE UPDATE**

Currently, there are three bills that have been filed this legislative session, that pertain to the OCO.

The AAG stated that the Council cannot take a vote on proposed legislation in an Advisory Council meeting but, a discussion can take place in the meeting. Individual members of the Council can agree or disagree and any concerns can be forwarded to the secretary’s office. Members of the Council had concerns with this interpretation.

The office looks at how each bill, affects the office staffing, the consumer, the licensee, etc.

Mr. Hart does not think SB84 “Funeral Establishments and Crematories - Unclaimed Cremains of Veterans - Notification, Disposition, and Reporting” will affect OCO too much. It may affect the Department of Veterans Affairs.

SB104-“Office of Cemetery Oversight - Cemetery Financial Statement – Requirements” – this change would lead to an increase in staffing, such as hiring a certified public accountant. This would place a financial burden on the OCO. Similar bills, SB192 in 2017 and SB565 in 2016 were withdrawn.

HB243-“Cemeteries - Perpetual Care - Distribution From Perpetual Care Trust Fund” may have benefits and drawbacks. The state wants cemeteries’ perpetual care fund to grow. Continuing to sell and a proper investment strategy will help that to happen.

In some states, perpetual care funds must go to the court to be approved. If a cemetery had not sold anything in 20 years, there still has to be revenue to cut the grass, etc.

For both SB104 and HB243, the OCO would have to hire a full time Certified Public Accountant (CPA), and an administrative person to review all of the files that would need to be submitted. If the State does not hire office staff immediately, it could take up to one year to have the qualified staff to be hired. If it were to pass now, then it would have to be stated that it would be implemented in 2021, for enough time to put staff in place. If a cemetery would submit their tax returns, if there is a loss one year and the next there is not, then that would not be an accurate review of monies.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**COUNCIL CONCERNS**

None.

**PUBLIC COMMENTS**

None.

**ADJOURNMENT**

There was a motion for the meeting to be adjourned at 12:25 pm.