

**CEMETERY BOARD  
MEETING MINUTES  
SEPTEMBER 28, 2010**

**PRESENT:** E. Glen Porter III, W. Ed Greenfield, Cecelia Timmons and Kathleen Cantu (joined the meeting at 9:13)

**BY LIVE MEETING:** Timothy Stanley, and Mary Lehman

**STAFF PRESENT:** Angela Arrington, Bureau Director; Colleen Baird, Acting Legal Counsel; Michelle Solem, Bureau Assistant

**CALL TO ORDER**

E. Glen Porter III called the meeting to order at 9:04 a.m. A quorum of 5 members was present.

**APPROVAL OF AGENDA**

**Correction**

- Revise Rienzi Funeral Home to Rienzi Cemetery Association in closed session

**MOTION:** Ed Greenfield moved, seconded by Mary Lehman, to approve the Agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF JUNE 15, 2009**

**MOTION:** Tim Stanley moved, seconded by Cecelia Timmons, to approve the Minutes of June 15, 2010. Motion carried unanimously.

**ADMINISTRATIVE REPORT – ANGELA ARRINGTON, BUREAU DIRECTOR**

Angela Arrington introduced herself as the bureau director. She also introduced Colleen Baird as the substitute Legal Counsel for this meeting.

**Election of 2011 Officers**

**NOMINATION:** Ed Greenfield nominated Glen Porter for chairperson.

**NOMINATION:** Glen Porter nominated Ed Greenfield for vice-chairperson.

**NOMINATION:** Tim Stanley nominated Mary Lehman for secretary.

The chair called for nominations three times.

Based on no opposition, the slate of officers was elected as nominated.

**PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS  
INCLUDING ANY SIGNED AFTER MAILING OF AGENDA**

Attorney Sarah Norberg to present the Proposed Stipulation, Final Decision and Order in the matter of 07 RLC 001. Deliberation will be in closed session.

## LEGISLATION/ADMINISTRATIVE RULES

### Discussion Regarding Rule Making Projects

Colleen Baird noted that Yolanda McGowan has reviewed the legislation and is noting the needed changes for discussion at the next meeting.

Mr. Porter noted that the US House of Representatives Bereaved Family Bill of Rights Act has made it out of committee but doubts that it will be addressed during this legislative session.

## CREDENTIALING ISSUES

### Review of Cemetery Authority Application Forms

Mr. Porter noted he has not been able to work on this. This will be included on the next agenda and changes to the form will be considered for implementation for the 2011-12 Report. It was noted that Gene Kleinert has retired and the Department has not been able to replace him to this point.

## PRACTICE QUESTIONS

### Rienzi Cemetery Board of Directors

This item is tabled until the next meeting.

## MISCELLANEOUS CORRESPONDENCE/INFORMATION

**MOTION:** Kathleen Cantu moved, seconded by Cecelia Timmons, to authorize sending the letter to the Funeral Directors as amended by Mr. Olson. Motion carried unanimously.

**MOTION:** Tim Stanley moved, seconded by Mary Lehman, to approve the letter to the workers Compensation Bureau Rating Bureau. Motion carried unanimously.

## CONVENE TO CLOSED SESSION

**MOTION:** Kathleen Cantu moved, seconded by Ed Greenfield, to deliberate on cases following hearing (s. 19.85(1) (a), Stats.); consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats.), to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s. 19.85(1)(g), Stats.)  
Roll Call Vote: E. Glen Porter III- yes, Tim Stanley- yes, Mary Lehman- yes, Ed Greenfield – yes, Cecelia Timmons – yes, and Kathleen Cantu - yes. Motion carried unanimously.

The Board convened into Closed Session at 9:48 a.m.

## RECONVENE TO OPEN SESSION

**MOTION:** Kathleen Cantu moved, seconded by Cecelia Timmons, to reconvene into open session at 11:41a.m. Motion carried unanimously.

## VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

### CASE CLOSINGS, CITATIONS, AND CASE STATUS REPORT OR ANY RECEIVED AFTER PRINTING OF AGENDA

#### 07 RLC 010

**MOTION:** Ed Greenfield moved, seconded by Kathleen Cantu, to close case 07 RLC 010 for L2, lack of jurisdiction regarding the person or entity in question. Angela Arrington recused herself from the discussion of this case. Motion Carried Unanimously.

### DELIBERATION ON PROPOSED STIPULATIONS OR ANY SIGNED AFTER PRINTING OF AGENDA

**MOTION:** Tim Stanley moved, seconded by Kathleen Cantu, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 07 RLC 001, Forest Hill Cemetery Association. Motion carried unanimously.

## CONSULTING WITH LEGAL COUNSEL

### Rienzi Cemetery Association's Request to Sell Land

**MOTION:** Ed Greenfield moved, seconded by Tim Stanley, to deny the request for approval of sale of property by Rienzi Cemetery Association based on 157.08(2)(b) because the rights and interests of the owners of cemetery lots and mausoleum spaces will not be adequately protected in view of the audit findings of the Department in the matter of DOE case number 10 RLC 001. Motion carried unanimously.

**MOTION:** Cecelia Timmons moved, seconded by Kathleen Cantu, to refer Rienzi Cemetery Association's denial of sale to Division of Enforcement to be coordinated with the action 10 RLC 001. Motion carried unanimously.

**Kenosha Cemetery Association – Request to Withdraw Appreciation or Interest from a Perpetual Care Fund**

**MOTION:** Tim Stanley moved, seconded by Mary Lehman, to decline addressing the request from Kenosha Cemetery Association until such a time as the current investigation is resolved. Motion carried unanimously.

**Blessed Teresa of Calcutta Parish Request: User of Perpetual Care Funds**

**MOTION:** Kathleen Cantu moved, seconded by Ed Greenfield, to acknowledge the receipt of the request from Blessed Teresa of Calcutta Parish but decline addressing the request because the Board does not have authority over the entity under 157.11(9)(g)(a)(2). Regulated cemetery authorities are not permitted to withdraw care fund principal and Blessed Teresa of Calcutta is exempt under 157.11(10).

**DOE – SIGNATURES FOR PROPOSED STIPULATIONS, ORDERS, AND ADMINISTRATIVE WARNINGS**

Noted.

**ADJOURNMENT**

**MOTION:** Kathleen Cantu moved, seconded by Mary Lehman, to adjourn the meeting at 11:45 a.m. Motion carried unanimously.