

**CEMETERY BOARD
MEETING MINUTES
March 13, 2012**

PRESENT: E. Glen Porter, III; Cecelia Timmons; Timothy Stanley; and Kathleen Cantu

BY Phone: Mary Lehman, W. Ed Greenfield

STAFF PRESENT: Berni Mattsson, Executive Director; Sandy Nowack, Legal Counsel; David Carlson, Bureau Assistant; and other Department Staff for portions of the meeting

OTHERS PRESENT:

CALL TO ORDER

E. Glen Porter, III called the meeting to order at 9:30 a.m. A quorum of six members was present.

APPROVAL OF AGENDA

MOTION: Cantu moved, seconded by Stanley, to approve the Agenda as amended below. Motion carried unanimously.

APPROVAL OF MINUTES OF DECEMBER 6, 2011

MOTION: Greenfield moved, seconded by Cantu, to approve the Minutes of December 6, 2011 as published. Motion carried unanimously.

ADMINISTRATIVE REPORT

- **BOARD APPOINTMENTS**-Berni Mattsson reviewed the current Board Appointments and asked if the Board wished to make any new appointments. Chair Porter made the following appointment:
 - **Conveyance/Sales-Stanley (Porter)**
 - **Credentialing-Greenfield**
 - **Screening-Stanley, Lehman (Porter)**
 - **Trustee Approval-Porter**
 - **Monitoring Liaison-Stanley (Porter)**
 - **Legislative-Porter**
- **BOARD MEMBER GUIDEBOOK**-Berni Mattsson reviewed the updated Board Member Guidebook and requested that Board members sign the acknowledgement form at the back of the book and return to the Department.

LEGISLATION/ADMINISTRATIVE RULE MATTERS

Public Hearing on proposed rule-making CB 3-5

Porter convened Public Hearing at 9:50 a.m. and reviewed the proposed changes to Rule CB 3-5 and advised those in attendance that copies of the proposed changes are available. Porter explained that anyone wishing to testify must complete an attendance slip.

No one appeared to testify.

MOTION: Cantu moved, seconded by Lehman, to adjourn the Public Hearing. Motion carried unanimously.

Review and Discuss public and legislative clearinghouse comments related to CB 3-5

Kris Anderson reviewed clearinghouse changes.

MOTION: Stanley moved, seconded by Timmons to approve for filing the proposed order with the amendments discussed by the board.

**PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND
ORDERS BY THE DIVISION OF ENFORCEMENT**

10 RLC 001-Rienzi Cemetery and Rienzi Cemetery Association. Heather Curnutt reviewed the terms of the Stipulation and FDO.

INFORMATIONAL ITEMS

- 1) **2011 AB 523**-Porter reviewed the history of the Legislation which would remove the prohibition in place now which keeps Cemeteries and Funeral Homes being owned by the same entity. Porter said a public hearing was held recently on the bill. Porter said he didn't believe the bill would not progress during this legislative session.
- 2) **2011 AB 547/SB453**-Porter reviewed the bill which is a DSPS "clean-up" bill. The bill cuts most of the remaining ties between the Cemetery Board and Real Estate Boards. Previously, certain cemetery tasks needed to be done by a licensed real estate broker.
- 3) **Conversion of Documents to Electronic Format**-In response to an inquiry by Stewart Enterprises, Board Legal Counsel said that there is nothing that prohibits keeping records in an electronic format, versus a hard copy so long as the records are accessible as specified by law.

CONVENE TO CLOSED SESSION

MOTION: Timmons moved, seconded by Cantu, to convene in closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.); to 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: Roll Call Vote: Kathleen Cantu-yes; Ed Greenfield-yes; Mary Lehman-yes; Glen Porter III-yes; Timothy Stanley-yes and Cecelia Timmons-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:43 a.m.

RECONVENE TO OPEN SESSION

MOTION: Cantu moved, seconded by Stanley, to reconvene in open session. Motion carried unanimously.

The Board reconvened into open session at 11:24 a.m.

10 RLC 001-Rienzi Cemetery and Rienzi Cemetery Association

MOTION: Timmons moved, seconded by Cantu, to accept the proposed Stipulation, Final Decision and Order as presented. Motion carried unanimously.

11 RLC 008

MOTION: Greenfield moved, seconded by Cantu, to close case 11 RLC 008 for no violation. Motion carried unanimously.

ADJOURNMENT

MOTION: Cantu moved, seconded by Timmons, to adjourn the meeting at 11:25 a.m. Motion carried unanimously.

NEXT MEETING DATE: June 19, 2012