

Minutes of Meeting
Louisiana Cemetery Board
May 27, 2022

The regular meeting of the Louisiana Cemetery Board was held May 27, 2022 at 3445 N. Causeway Boulevard, Suite 509, Metairie, Louisiana, pursuant to notice. Chairman Melancon called the meeting to order at 9:05 A.M.

Present were: Gerald W. Melancon, Chairman
Shelly M. Holloway, Secretary/Treasurer
Stacey L. Patin, Board Member
F. Anton Wilbert, Board Member
Carroll W. Suggs, At-Large Board Member
Lucy L. McCann, Director
Eric J. Derbes, Special Counsel to the Board
Ryan M. Seidemann, Ph.D., Assistant Attorney General

Absent was: Marilyn Leufroy, Vice-Chairman
Sherri S. Peppo, Board Member

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Debbie Holmes, Argent Trust Company, Ruston, Louisiana; Jim Breaux, Argent Trust Company, New Orleans, Louisiana; Boyd L. Mothe, Jr., Westlawn Cemeteries, LLC., Gretna, Louisiana; Jimmy Patin, Greenwood Memorial Gardens, Pineville, Louisiana; and L. Paul Raymond and Joe Blanchard, Jr., American Cemetery Consultants, LLC., New Orleans, Louisiana; Huey P. Campbell, Market Director for New Orleans Market, SCI, New Orleans, LA; and Jerry W. Sullivan, Sullivan Dupre' & Solouki, LLC., Metairie, Louisiana.

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Public Comment

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Since copies of the Minutes had been previously disseminated to each Board Member, the Chairman asked if there was any discussion or amendments. Ms. Suggs made a motion to approve the November 5, 2021, Board Meeting Minutes as presented. The motion was seconded by Ms. Patin and unanimously approved.

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Report of Officers

The Director reviewed the Statement of Operations for year ending December 31, 2021; the Cash & Investments as of December 31, 2021; the Statement of Operations January through April

2022; Cash & Investments as of April 30, 2022; and the Budget vs. Actual January through April 2022. After review and discussion Mr. Wilbert made a motion to accept the financial statements as presented. The motion was seconded by Ms. Suggs and unanimously approved.

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Report of Director

The Director reported on matters being handled by staff and not requiring action by the Board at this time.

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Approval of Applications for Pre-Construction Sales Projects

The Director reviewed the Applications for Pre-Construction Sales Projects received by the Board since the last Board meeting. After review and discussion, Ms. Holloway made a motion to approve the Applications for Pre-Construction Sales Projects received since the last Board meeting. The motion was seconded by Ms. Patin and unanimously approved.

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Ratification of Certificates of Authority issued

The Chairman asked for a motion to ratify the licenses issued since the last Board Meeting. Mr. Wilbert made a motion to ratify the 2021 Non-Exempt (New/Transfers) #21-559 - #21-563; 2022 Non-Exempt (New/Transfers) #22-001, #22-524; 2022 Non-Exempt (Renewals) #22-002 - #22-523, #22-525 - #22-542; 2022 Cemetery Sales Organizations (Renewals) #CSO-22-01 - #CSO-22-06; 2022 Cemetery Management Organizations (Renewals) #CMO-22-01 - #CMO-22-05; Abandoned Cemetery Sales and Management Licenses (Renewals) #ACSML-22-01; and Exempt (New) #1518E - #1529E. The motion was seconded by Ms. Holloway and unanimously approved.

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Executive Committee

Chairman Melancon reported that the Executive Committee held a meeting and conducted interviews of candidates for the position of Director on May 4, 2022. The committee's recommendation is to hire Jerry W. Sullivan, but the terms of employment are still being discussed. The committee believes that Mr. Sullivan was the most qualified and experienced candidate interviewed.

After discussion Ms. Suggs made a motion to delegate and authorize the Executive Committee to move forward with the process to hire Mr. Sullivan with the understand that if terms could not be reached with Mr. Sullivan the Executive Committee would consult the full Board with any new

recommendation(s) for the position of Director. The motion was seconded by Mr. Wilbert and unanimously approved.

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Examination and Inspection Committee

The Director reviewed the April 2022 Summary Report and advised the report had been accepted by Mr. Wilbert and Chairman Melancon, Ex Officio Member, of the Examination & Inspection Committee.

The Director also provided the Board with a summary of the perpetual care and merchandise trust fund balances of reconciled reports as of April 2022.

After review and discussion, Ms. Holloway made a motion to ratify the April 2022 Summary Report as presented. The motion was seconded by Mr. Wilbert and unanimously approved.

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At this time there was a discussion regarding the need for an additional Board Member to serve on the Examination & Inspection Committee. After discussion of the Committee's functions and duties, Ms. Patin made a motion to appoint Ms. Suggs to serve on the Examination and Inspection Committee. The motion was seconded by Mr. Wilbert and unanimously approve.

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Old Business

Statewide Cemetery Response Task Force Report (“Task Force”)– Hurricanes Laura, Delta and Ida.

Dr. Seidemann advised that midway through the response process for Hurricanes Laura and Delta FEMA changed its policy on what qualifies for cemetery coverage from any cemetery damage to only damage that disrupts burials. Therefore, tombstone-only damage is no longer covered. To date over 279 cemeteries have been surveyed statewide and damage to 3,288 graves have been identified. FEMA claims have been submitted on 1,835 damaged graves and FEMA has paid 1,061 claims, totaling in excess of \$2.6M. Over 700 tombstone-only damage claims have been rejected due to FEMA's policy change. Tombstone-only damage will have to be repaired by either families, contractors at their own expense while they are working on nearby graves, or by the Task Force while doing post-recovery site inspections.

Further, Dr. Seidemann advised the Task Force still has five trucks in Cameron Parish which contain human remains that were displaced. The Task Force is in the process of de-casketing know remains and turning those over to the contractors paid by FEMA to do reinterments. The Task Force is also in the process of de-casketing the unknown remains and transporting them to

Baton Rouge in coordination with LSU's Faces Laboratory to do forensic identification for hopeful identification and reburial. However, as a practical matter the Task Force anticipates there will be somewhere between zero and twenty individuals who were displaced by the storms that will never be identified.

Regarding Hurricane Ida, Dr. Seidemann advised, to date 123 caskets and vaults have been recovered from land, marsh, and marine environments across Jefferson and Plaquemines Parish. Although we are nine months out from Hurricane Ida the Task Force has just recently completed the field survey work. A total of 607 grave disturbances have been identified. The Task Force is already working with families and FEMA on reinterment of identified remains and FEMA has paid out over \$300K in claims to date. Vaults with no exterior identification will have to be de-vaulted and de-casketed for identification. The Task Force is currently working on de-vaulting displaced remains to make them mobile as quickly as possible given the 2022 Hurricane Season begins in a few days. The FEMA deadline for Ida claims is in nine months, but the Task Force anticipates the Ida response work will take another eighteen months.

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New Business

Request for waiver of late fees on 2022 Renewal Applications for Certificate of Authority: City of Oberlin d/b/a Oberlin Cemetery, Oberlin, LA; The Congregation of Saint Joseph Roman Catholic Church of Rayne d/b/a St. Joseph Cemetery #1 & #2, Rayne, LA; Sweet Home Community Cemetery of Melville, Melville, LA; Congregation of Our Lady of the Sacred Heart Roman Catholic Church of Church Point d/b/a Our Lady of the Sacred Heart Roman Catholic church Cemetery (Old), Church Point, LA; Congregation of Our Lady of the Sacred Heart Roman Catholic Church of Church Point d/b/a Our Lady of the Sacred Heart Roman Catholic church Cemetery (New), Church Point, LA; Congregation of Our Lady of the Sacred Heart Roman Catholic Church of Church Point d/b/a St. John Roman Catholic Church Mission Cemetery, Lewisburg, LA; Woodland Cemetery Association, Inc. d/b/a Woodland Memorial Park, Jena, LA.

After review of the information presented, Ms. Suggs made a motion to grant the waivers. The motion was seconded by Mr. Wilbert and unanimously approved.

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Modification of Pre-Construction Sales Project by American Cemetery Consultants, LLC.

The Congregation of Christ the King Roman Catholic Church of the Parish of Avoyelles, LA d/b/a Christ the King Catholic Church Cemetery, Simmesport, LA. The Director reviewed the information before each Board Member, which reflected that the original project called for 80 crypts and 40 niches and the request is to reduce the project to 56 crypts and 40 niches. Mr. Raymond advised no sales were offered or made in the two rows of crypts being eliminated from the project and there are no modifications to any features.

After review and discussion, Ms. Holloway made a motion to approve the modification as presented. The motion was seconded by Ms. Patin and unanimously approved.

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North American Death Care Regulators Association (DCRA) Conference – August 1-5, 2022, New York, New York; and Tri-State Cemetery Conference – August 8-9, 2022, New Orleans, Louisiana.

After discussion, Ms. Suggs made a motion to approve registration and travel for the Director, Compliance Investigator, Joni C. Thompson, and the Assistant Attorney General, Dr. Ryan M. Seidemann, to attend the DCRA conference, and for the Director to attend the Tri-State Cemetery Conference. The motion was seconded by Ms. Patin and unanimously approved.

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The Director reviewed several bills pending in the 2022 Regular Legislative Session, affecting Title 8 as well as bills that may affect the administrative function of the Board including, but not limited to, HB 528, HB 783, HB 785, HB 997, HB 833, and HB 139.

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Informal Proceeding Docket No. 2019-015-E – Re: SCI Louisiana Funeral Services, Inc. d/b/a Greenoaks Memorial Park, Baton Rouge, LA.

The Director and Dr. Seidemann reviewed the details of the stipulated facts and violation(s), as well as the proposed resolution outlined by the Consent Agreement, a copy of which was before each Board Member.

The Director and Dr. Seidemann answered questions by the Board regarding the stipulated facts, violation(s), and the recommended resolution.

After discussion, Ms. Holloway made a motion to ratify the Consent Agreement with SCI Louisiana Funeral Services, Inc. d/b/a Greenoaks Memorial Park as presented. The motion was seconded by Ms. Patin and unanimously approved.

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Informal Proceeding Docket No. 2021-050-C – Re: Congregation of the Evening Star Missionary Baptist Church of Harvey, Louisiana d/b/a Evening Star Cemetery, Harvey, LA.

The Director and Dr. Seidemann reviewed the details of the stipulated facts and violation(s), as well as the proposed resolution outlined by the Consent Agreement, a copy of which was before each Board Member.

The Director and Dr. Seidemann answered questions by the Board regarding the stipulated facts, violation(s), and the recommended resolution.

After discussion, Ms. Patin made a motion to ratify the Consent Agreement with Congregation of the Evening Star Missionary Baptist Church of Harvey, Louisiana d/b/a Evening Star Cemetery as presented. The motion was seconded by Mr. Wilbert and unanimously approved.

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Informal Proceeding Docket No. 2019-021-I – Re: Forest Park East Associates, Inc. d/b/a Forest Park East & Forest Park West Associates, Inc. d/b/a Forest Park West, Shreveport, LA.

The Director and Dr. Seidemann reviewed the details of the stipulated facts and violation(s), as well as the proposed resolution outlined by the Consent Agreement, a copy of which was before each Board Member.

The Director and Dr. Seidemann answered questions by the Board regarding the stipulated facts, violation(s), and the recommended resolution.

After discussion, Ms. Suggs made a motion to ratify the Consent Agreement with Forest Park East Associates, Inc. d/b/a Forest Park East & Forest Park West Associates, Inc. d/b/a Forest Park West as presented. The motion was seconded by Mr. Wilbert and unanimously approved.

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Executive Session

Mr. Wilbert made a motion to go into Executive Session to discuss litigation. The motion was seconded by Ms. Suggs and a roll call vote was taken: Chairman Melancon – yea; Ms. Patin – yea; Ms. Holloway – yea; Mr. Wilbert – yea; and Ms. Suggs – yea.

Ms. Suggs made a motion to come out of Executive Session. The motion was seconded by Mr. Wilbert and a roll call vote was taken: Chairman Melancon – yea; Ms. Patin – yea; Ms. Holloway – yea; Mr. Wilbert – yea; and Ms. Suggs – yea.

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At the request of Chairman Melancon, Ms. Suggs provided the Board Members a brief history of her business experience and volunteer service on various non-profit Boards. The Board thanked Ms. Suggs for her willingness to serve.

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Since there was no further business, Ms. Patin made a motion to adjourn at 11:55 A.M. The motion was seconded by Ms. Suggs and unanimously approved.



Shelly M. Holloway, Secretary/Treasurer

Attested To:

Gerald W. Melancon, Chairman


