Present:
Bill Davis/Chair, Cathy Morrison, Betty McGahey, Lillian Nicholson, Joyce Stevens

Excused:
Theo Pence, Raymond Mowbray

Staff:
Charlotte Shifflett/Cemetery Director

Chairman Davis opened the meeting by reciting the Pledge of Allegiance. Cathy Morrison followed with a brief prayer.

Old Business:

- The tree will be taken down at the Eppard's very soon.
- The commissioner's have abandoned the idea of the road being paved in behind the sign in front portion of the cemetery.
- David Step will be replacing the shrubs.
- The curbing has been poured and is complete. The labor expense was $1400.00 and the materials $597.00 for a total of $1,997.00.
- A request for restrooms in the cemetery is still active. Members wish to see a building that would blend in with existing surroundings, including parking spaces. The ideal location would be near the east corner of Section 12 on Miller Way.
- Members are very excited about the possibility of the Deed of Gift from Dr. Downey. If the Elk Run Village project goes thru we could receive an additional seven acres.
- Chairman Davis advised the members he had compared the prices to open/close a grave with surrounding cemeteries and we are in line with the average rate of $400.00.
- At our September meeting the Commissioners raised a concern about where the money is being spent?

Betty McGahey made a motion, seconded by Cathy to accept the September minutes as read.
Voice Vote 5-0
Bill Davis, Cathy Morrison, Betty McGahey, Lillian Nicholson, Joyce Stevens
Motion Carried

New Business:
An investigation of cemetery funds has been ordered by Commonwealth Attorney, Marsha Garst.

- Bill Davis and Kevin Fauber held a conference call with the Town Attorneys/Lauri & Chris Sigler on December 17, 2011.
- A hand-out was distributed to all members listing expenses and Council Minutes votes to back up claims for reimbursement to the Town.
- Members would like to see a line item report on expense account.

- A paper trail needs to be established to show where all posted cemetery money is spent. The Cemetery Commission has harped on this point for years—not months,
- EXAMPLE:
  If expenses allotted total $30,000.00 and if 10 grave spaces are opened/closed at $400.00/each then that total will be subtracted from the $30,000.00. A breakdown of all money owed to the Town needs to issued. Kevin Fauber was asked if the Cemetery Commission is getting fudged on the time spent on Work Orders?
- Bill was at the cemetery when the Town opened the first grave. It took two men approximately 30 minutes to complete the process in its entirety. We do not need 3-4 extra maintenance men to show up at the cemetery to watch! Some committee members need to go and observe the digging occasionally. Time may vary from one grave space to another due to rocks etc.
- The closing costs should be about the same time frame. The members have decided to go up and watch occasionally. This process can be handled by 2 men---not 3 or 4 extra guys.
- How much does the Town get an hour for the backhoe and an operator?
- Betty McGahey wondered what happened to the calculation suggested by the Commission?

Open =	2 men @ $15.00/each	Total = $30.00
Close =	2 men @ $15.00/each	Total = $30.00
Equipment charge		Total = $60.00
		$100.00

  The amounts would increase $25.00 on weekends to cover overtime costs for a total of $125.00.
- It had been discussed recently that the Town may wish to pay Danny Morris $200.00 open/close fees and deposit the other $200.00 to an operating fund.
- Kevin Fauber/Town Manager noted no charges are being placed by the Town for the open/close fees. If this is true—in which account did the money go and what was it spent to purchase?
- Joyce Stevens wanted to know if $137,000.00 is owed, why do we owe it?
- What was put back?
  a. 2 CD's. How much is each CD worth?
     She also noted that she is attempting to comprehend the paperwork as distributed.
- Joyce feels no admission of any guilt has been forthcoming from anyone. She assured the other members "We will receive a report".
- Betty McGahey remembers the Perpetual Fund once, not long ago, had a total of $225,000.00. She questioned "Where did it go since no one is allowed to spend out of the Perpetual Care account"?
- Cathy acknowledged that the May 2005 minutes, that were distributed, noted that money was changed to an "Operating Fund".
- $150,000.00 went to past operations and an additional $87,000.00 went into Real Estate account and $100,000 was to remain in an "Operational Fund".

- Bill expressed that he did not personally meet the town attorneys but rather communicated via a conference call.
- He also feels a lot remains to be discussed and a lot of business remains unfinished.
- The issue of the shed being broken into was addressed by a member. She noted that nothing was usually done when this happened in the past.
  1) The theft was submitted to the Elkton Police Department. Gas was stolen from the unlocked building while the Caretaker was mowing in another part of the cemetery.
  2) Another incident occurred when the lock was broken and the building was entered with more gas and cans being stolen. This incident was reported as well.
- What is being done to prevent this from happening in the future?
  1) The Caretaker has begun keeping the door locked at all times.
  2) He secured gas from the maintenance shop the last time he mowed.

- According to news reports no Work Orders are being written for the cemetery. Why are Work Orders not being written?
  1) Charlotte informed the group that Work Orders are being written and recorded with all others. She reserves a copy for her files.
- *Mrs. Nicholson* wonders why the news reports differ—No truth is coming forth?
  1) Should we change direction?
  2) Is there any light at the end of the tunnel?
  3) We seem to be off to a good start but is it permanent?
- Cemetery Commission or Town Council—"Who runs the cemetery?" This issue needs to be decided once and for all.
  1) The town attorneys should not be making this decision.
  2) The commission feels a judge of a higher court should make a ruling on this deed.
  3) How may a deed be broken once it has been filed?
- *Cathy Morrison* feels like she would like to take the time to relay this message to others:
  1) Councilmen change every 4 years and along with new members a change of environment.
  2) The Cemetery Commissioner's have a more stable unity due to the fact they are able to boast they have been together a long period of time.
  3) Each time a space is sold that person receives a deed. Since all owners have a deed they have a right to know about the Perpetual Care money and the account totals.
  4) The audacity of spending funds generated by the cemetery is beyond perception.
  5) Money?? Where does everyone think it comes from?

- *Joyce Stevens* feels its time to advertise the fact we need help from the public. The Town of Elkton wants to control the Elk Run Cemetery but not all owners are town residents. Therefore, the town

should not be 100% in control. The town and the commission have not always had friction. Gerald Monger was gone from his position in town before May 2005. Mr. Donachy was the town manager at the time of the proposed takeover and took his direction from Attorney Nathan Miller. Lee Dearing was acting chairman of the cemetery at that time and Cathy Murphy was secretary.

- Charlotte has placed all cemetery meeting minutes on the elktonva.gov website but did not find any records for the year 2005. Members don't recall having regularly scheduled meetings in that time frame. No one has a copy in their manual.

Pathforward:

Cathy Morrison was advised to call Lee Dearing and obtain a copy of the 2005 By-Laws proposed up-date. Actually, the update never occurred as proposed. This document may also be found on the elktonva.gov website.

Pathforward:

Charlotte will forward Cathy a copy of the 1985 deed.

- Should we plan to schedule a regular meeting in February? Meantime, what can we do to improve the situation, if anything?
  1) Bill Davis would like us to ride it out and feels we are on the right track.
  2) He did express the fact he was unhappy with the situation of a State Police Investigator showing up to question personnel; one at home and the other on the job. He feels the person should have had the backing of the entire Commission.
- Joyce Stevens replied she had called Marsha Garst and would like to make a statement in self defense.
  1) She and Marsha Garst are the best of friends and are in the habit of calling each other when either is upset. They have many, many conversations about a variety of subjects and this happens all the time.

     Bill replied by noting "the perpetual care fund is a hot item and should not be brought to the outside. Please be sure to go thru the proper channels." He feels the investigator was not fair by questioning only Charlotte and Clairen.

     Joyce wanted to let the members know that she had been visited by the investigator and questioned as well.

     Cathy wanted to state that Mr. Merica had harassed Charlotte somewhat and gotten away with it so she felt it was Charlotte's call if a complaint about the investigator was going to be implemented on her behalf. Besides, that is the nature of an investigator---attempt to find out who did what?

Cathy Morrison requested the meeting be adjourned, seconded by Joyce Stevens. The next meeting is scheduled for February 16, 2012 @ 2 pm.

CLS/ Bill Davis
Chairman

Charlotte L. Shuptrett
Secretary/Director

Minutes passed Feb 14, 2013