



Delaware Cemetery Board
Regular Meeting Minutes
Held at Appoquinimink State Service Center, Middletown, DE
January 13, 2016, 10:30 a.m.

I. Call to Order

Meeting called to order at 10:31 a.m. by Mark Christian, Chair.

Members present:

- Mark Christian, Chair (Owner/Operator Representative - Executive Director, Catholic Cemeteries, Inc.)
Bruce Ennis (Owner/Operator Representative - Old Drawyers Cemetery)
Edward Fielding (Public Member Representative)
Paul White (Owner/Operator Representative - Silverbrook Cemetery and Memorial Park)
Sarah (Sally) Williams (Public Member Representative)
Candace Casto, Chief Administrative Officer, Department of Health and Social Services (DHSS),
Division of Public Health (DPH), Health Statistics Center (HSC)

Members absent: No

Quorum present? Yes

Guests:

- Lee Anderson, Riverview Cemetery, Wilmington
James Chandler, Wilmington & Brandywine Cemetery
Mary King, Riverview Cemetery, Wilmington

II. Introductions - Board members, DPH staff, and public

III. Review and Approval of December 9, 2015 Minutes

Motion: Mark Christian requested a motion to approve the December 9, 2015 minutes. Sally Williams made the motion to approve the December 9, 2015 minutes as read. Seconded by Bruce Ennis.

Vote: Motion carried (5 in favor; 0 opposed).

Resolved: Minutes from the December 9, 2015 board meeting were approved unanimously as read.

IV. Old Business

A. Decision for Spiral Cemetery Application - denied based on the legal advice of the DPH Deputy Attorney General that the State of Delaware is not a distressed owner and the application does not meet the definition of a distressed cemetery.

Motion: Mark Christian requested a motion to deny the application based on the legal advice of the DPH Deputy Attorney General that the State of Delaware is not a distressed owner and the application does not meet the definition of a distressed cemetery. Bruce Ennis made the



motion to deny the application based on the legal advice of the DPH Deputy Attorney General that the State of Delaware is not a distressed owner and the application does not meet the definition of a distressed cemetery. Seconded by Paul White.

Vote: Motion carried (5 in favor; 0 opposed).

Resolved: The application was denied based on legal advice of the DPH Deputy Attorney General that the State of Delaware is not a distressed owner and the application does not meet the definition of a distressed cemetery. A notification via e-mail on 12/17/15 and 12/22/15 (to another e-mail address) was sent to Faith Kuehn after receiving legal advice.

V. New Business

A. Report from Chief Administrative Officer

1. As of 01/13/16:
 - Registered cemeteries - 211 total
 - Registration fees received from 12/1/15 - 12/31/15 – \$10
 - Expired registrations: sent reminders with forms to: Mount Olive (Wilm.), Mount Olive (Laurel), Mt. Pisgah AME, New Zion Methodist (Laurel), and Our Lady of Lourdes (Blades). Sent reminders to Providence United Methodist Church Cemetery (expire on 12/15/2015); Conley’s United Methodist Cemetery (expired on 1/11/16 but gave approval to send payment once treasurer returns from trip).
 - Balance for Spending Authority - \$67,462.50 (Appropriated \$100,000 and disbursed \$32,437.50 in awards and \$100 in room rentals to date (Montgomery Cemetery, Little Creek Friends Burial Ground, Hartly United Methodist Church, and Sailors Bethel United Methodist Church).
2. PO set up for Sailors Bethel Cemetery for \$4,437.50. Payment voucher was entered on accounting system for payment on 1/12/16. Payment should be received next week.
3. Spiral Cemetery received answer via e-mail on 12/17/15 and 12/22/15 (to another e-mail address) to deny application based on the State of DE is not a distressed owner.
4. Next board meeting location, March 9, 2016, 10:30 a.m. – DOT Bldg., Farmington Room (also have Fenwick Room for Executive Session), Dover
5. Telephone Calls/E-mails/Visits to office
 - a. 12/9/15 telephone call – Barbara Hall, old cemetery in woods on Westwoods Road near Gumboro needs cleanup. Family members have passed away and owner is elderly. She’ll contact owner.
 - b. 12/21/15 telephone call – Marsha Anderson, Asbury United Methodist Church, Seaford; gave new contact info.
 - c. 12/29/15 telephone call – Bernard Williams, Sr., Foreman/Massey Cemetery – explained process of applying for funds and emailed him link to DE Cemetery Board website.
 - d. 1/4/16 telephone call – Angel McKnight – question about how to find where her great-great grandmother is buried. She stated approx. 1944, funeral home in Brooklyn, NY transported body to DE for burial and burial on death certificate is listed in Dover, DE but family thought it was Eden Cemetery which is in DE County in PA – told her funeral home on death certificate should know location of where burial was; googled name of home she had on death certificate and gave her telephone numbers of two funeral homes in Brooklyn, NY with similar names.



- e. 1/7/16 telephone call – Briana Denby, Mt. Zion Cemetery, Wilmington – followup on application that Judge Alex Smalls submitted in Oct. Left message on 1/11/16 morning to let her know Mark and I both tried to contact Judge Smalls in Oct. and Nov.; talked with Brenda on 1/12/16 and explained what we needed with the application; forwarded the 10/21/15 email to Judge Smalls onto her so she'll prepare the application and get necessary quotes.
- f. 1/8/16 telephone call – Bob Merrill, St. Peter's Cemetery, Smyrna – received Distressed Cemetery Funds in the past; interested in applying again to repair fence in another area but wanted to ensure it's been two years. Returned call to let him know it was two years in November 2013.
- g. 1/8/16 telephone call – Peggy Shaw, Ardencroft – Town of Ardencroft wants to establish a memorial garden on land they own and she was given my number to call to get instructions on how to start. I explained to her that I maintain the Distressed Cemetery Fund and gave her the telephone number to the New Castle County Land Use office.

Action Requested: Mark Christian asked Candace Casto to make a followup call to Barbara Hall relative to the cemetery on Westwoods Road in Gumboro needing cleanup (see V., 5., A., a.) to register the cemetery and to give information about the Distressed Cemetery Fund and to let him know the information received. Candace will call Barbara Hall to follow up with her about owner and let the Board know.

Motion: Mark Christian requested a motion to accept the Chief Administrative Officer's report as presented. Ed Fielding made the motion to accept the report as presented. Seconded by Sally Williams.

Vote: Motion carried (5 in favor; 0 opposed).

Resolved: The Chief Administrative Officer's report was approved unanimously as presented.

VI. Other Topics/Discussion

Next meeting – March 9, 2016, 10:30 a.m. – DOT Bldg., Dover, Farmington Room (and Fenwick Room for Executive Session)

VII. Executive Session - Financial assistance applications

Before entering into Executive Session, Mark Christian asked the representatives from Riverview and Wilmington & Brandywine Cemeteries to tell about the history of their respective cemeteries and the work needed. Dr. Lee Anderson, President of Friends of Historic Riverview Cemetery, and James Chandler, Wilmington & Brandywine Cemetery, each gave a brief history and explained the work needed for their cemeteries.

Motion: Mark Christian requested a motion to enter into Executive Session to discuss financial assistance applications with the applicants. Sally Williams made the motion to enter into Executive Session to discuss financial assistance applications with the applicants. Seconded by Ed Fielding.

Vote: Motion carried (5 in favor; 0 opposed).

Resolved: Upon unanimous vote, the Board entered into Executive Session at 10:55 a.m. to discuss the following two financial assistance applications.

A. Riverview Cemetery - \$10,000



B. Wilmington & Brandywine Cemetery - \$10,000

Motion: Mark Christian requested a motion to end the Executive Session and return to the public meeting to vote on the applications. Paul White made the motion to end the Executive Session and return to the public meeting to vote on the applications. Seconded by Ed Fielding.

Vote: Motion carried (5 in favor; 0 opposed).

Resolved: Upon unanimous vote, the Board ended the Executive Session at 11:23 a.m. and returned to the public meeting to vote on the applications.

VIII. Public Comment

Vote on financial assistance applications - Mark Christian reported each cemetery's name and asked for a motion to vote on each application.

A. Riverview Cemetery - Denied

Motion: Mark Christian requested a motion to vote on the application. Bruce Ennis made the motion to deny the financial assistance application for \$10,000 to complete the renovation of the old chapel/office structure. The decision was unanimous and was based on the restrictive language of the legislation in 29 Del. C., § 7902A, (6), specifically, that the structure will be used as a multi-purpose room and not for the interment/entombment of human remains. Seconded by Ed Fielding.

Vote: Motion carried (5 in favor; 0 opposed).

Resolved: The financial assistance application for the Riverview Cemetery was unanimously denied based on the restrictive language of the legislation in 29 Del. C., § 7902A, (6), specifically, that the structure will be used as a multi-purpose room and not for the interment/entombment of human remains.

B. Wilmington & Brandywine Cemetery - Approved

Motion: Mark Christian requested a motion to vote on the application. Paul White made the motion to approve the financial assistance application for \$10,000. Seconded by Ed Fielding.

Vote: Motion carried (5 in favor; 0 opposed).

Resolved: The financial assistance application for the Wilmington & Brandywine Cemetery was unanimously approved.

Public Comment: James Chandler stated he has the indigent burial contract with the State and asked about the Spiral Cemetery project. The project was described to him and that the application was denied.

IX. Adjourn

Motion: Mark Christian requested a motion to adjourn the meeting. Ed Fielding made the motion to adjourn the meeting. Seconded by Paul White.

Vote: Motion carried (5 in favor; 0 opposed).

Resolved: The meeting was adjourned at 11:31 a.m.