

**GREENWOOD CEMETERY ADVISORY BOARD
MEETING AGENDA
FRIDAY, JUNE 1, 2018 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN**

I. CALL TO ORDER

Darlene Gehringer, Chairperson

II. ROLL CALL

J. Cherilynn Mynsberge, City Clerk

III. APPROVAL OF MINUTES

A. Approval of meeting minutes of May 4, 2018

IV. NEW BUSINESS

A. Review of 2017 Annual Report *tentative*

V. UNFINISHED BUSINESS

Items under Unfinished Business will be presented as a status update to the Board and may not require action at this time.

A. Consideration of Proposed Payment Plan Policy for Cemetery Plots

VI. CONTRACTOR REPORT

VII. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

VIII. BOARD COMMENTS

IX. ADJOURN

NEXT MEETING: JULY 6, 2018

Greenwood Cemetery Advisory Board:

The powers and duties of the Greenwood Cemetery Advisory Board is to provide the following recommendations to the City Commission:

- 1. Modifications: As to modifications of the rules and regulations governing Greenwood Cemetery.*
- 2. Capital Improvements: As to what capital improvements should be made to the cemetery.*
- 3. Future Demands: As to how to respond to future demands for cemetery services.*

Section 34-30 (g) of the Birmingham City Code

NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al (248) 530-1880 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).

**GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, MAY 4, 2018 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN**

I. CALL TO ORDER

Vice Chairperson Linda Buchanan called meeting to order at 8:36 AM.

II. ROLL CALL

Present: Linda Buchanan
George Stern
Margaret Suter
Linda Peterson

Absent: Darlene Gehringer
Kevin Desmond
Laura Schreiner

Administration: J. Cherilynn Mynsberge, City Clerk, Cheryl Arft, Deputy Clerk

III. APPROVAL OF MINUTES

A. APPROVAL OF MEETING MINUTES OF APRIL 6, 2018

City Clerk Mynsberge presented a communication from Ms. Gehringer requesting that the fourth paragraph on page 3 be changed to read "City Clerk Mynsberge agreed to tell the Contractor that the GCAB is proposing a change to the payment plan from 36 months to 24 months."

Mr. Stern asked that:

- The second paragraph on page two be changed to read "Mr. Stern said the Booth family purchased and area of 90 plots but only has marked out 38 plots for use."
- Under Board Comments, the second bullet be changed to "undated" deeds and the third bullet be changed to "There is at least one plot that he could not locate and number".

Motion: Motion by Suter, seconded by Peterson,
To approve the minutes of the April 6, 2018 Greenwood Cemetery Board meeting as amended.

VOTE: Yeas, 4
Nays, 0
Absent, 3

IV. NEW BUSINESS

None.

V. UNFINISHED BUSINESS

Items under Unfinished Business will be presented as a status update to the Board and may not require action at this time.

A. CONSIDERATION OF PROPOSED PAYMENT PLAN POLICY FOR CEMETERY PLOTS

Ms. Suter said that the end of paragraph four on the first page of the proposed Regulations and Procedures document should read "money so allocated will not be shifted to other plots."

The Board discussed this section further in an attempt to convey that money already paid could not be shifted from a plot. City Clerk Mynsberge said she would consult with City Attorney Currier for the appropriate language, and would return with the changes at the June GCAB meeting.

B. DISCUSSION OF RESPONSES TO GREENWOOD CEMETERY MASTER PLAN REQUEST FOR PROPOSALS (RFP)

City Clerk Mynsberge said that while she was open to comments, both bids submitted to the GCAB were double the Greenwood Master Plan's budget. She continued that it might be wisest to turn down both bids and ask City staff to begin the bidding process again.

Many Board members concurred that the bids received were not relevant to the work being requested. City Clerk Mynsberge suggested that a one sheet be requested from the bidders, instead of a full response.

City Clerk Mynsberge continued that this project should be clarified and re-titled, especially because a number of the GCAB's goals have already been accomplished.

Ms. Suter suggested that perhaps parts of the project should be bid separately. City Clerk Mynsberge and other Board members agreed it was worth considering.

Mr. Stern said that:

- The Master Planning process should begin with an assessment of the existent circumstances, and then an assessment of demand.
- He undertook to perform the first part himself, and with the help of the City Clerk's office looked at over 5,000 burial records and every deed issued since 2015.
- The consultant told the GCAB that:
 - No plots were available for sale, but Mr. Stern located 126.
 - There were no plots in Section H, but Section H actually has approximately 39 plots available for sale.
- The Master Planning Process should consider whether the citizens want to be buried in Birmingham in order to assess demand.

City Clerk Mynsberge said it would be most helpful to have this information in writing. Mr. Stern confirmed that he would be sending the report to the Clerk's Office and everyone on the GCAB.

VI. CONTRACTOR REPORT

City Clerk Mynsberge stated that there are currently 11 plots under payment plan.

Ms. Suter stated that she had an issue with her deed and that the contractor resolved the issue the next day.

The GCAB concurred that a columbarium is an option in the future.

City Clerk Mynsberge confirmed that the next meeting of the GCAB is June 1, 2018.

VII. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

VIII. BOARD COMMENTS

Ms. Buchanan said there would be a Greenwood Cemetery tour on Saturday, May 5 at 1 pm, and also that Emily Irving's gravestone was broken.

IX. ADJOURN

The meeting adjourned at 9:08 a.m.



MEMORANDUM

City Clerk's Office

DATE: June 1, 2018
TO: Greenwood Cemetery Advisory Board
FROM: J. Cherilynn Mynsberge, City Clerk
SUBJECT: Proposed Payment Plan Policy for Cemetery Plots

At the Board's meeting on April 6, 2018 the City Attorney's concerns regarding the draft Payment Plan Policy were discussed, and the Board adopted several modifications.

At the Board's meeting on May 4, 2018 the Board determined the end of paragraph four of the proposed Payment Plan Policy should read "money so allocated will not be shifted to other plots." The Board discussed this section further in an attempt to convey that money already paid could not be shifted from a plot. City Clerk Mynsberge said she would consult with City Attorney Currier for the appropriate language, and would return with the changes at the June GCAB meeting.

City Attorney Currier has drafted the following replacement to the fourth paragraph:

If multiple plots are included in the Purchase Agreement, the monthly payments should be equally allocated to each lot. In the event internment is needed, then the end plot must be fully paid before internment can take place. This will require an additional payment to fully payoff the plot in question. Neither the cemetery, nor the plot owners shall transfer any funds, or credit any prior payments to other plots for this purpose.

If the Board is in agreement that the revised Payment Plan Policy revision accurately reflects the amendments made on April 6, 2018, a resolution to recommend to the City Commission adoption of the proposed Payment Plan Policy would be in order.

ATTACHMENTS:

- Red-lined version of revision proposed by City Attorney Currier
- Clean version of policy as revised on 4/6/2018
- Excerpt of draft minutes of 5/4/2018 GCAB meeting
- Excerpt of minutes of 4/6/2018 meeting

SUGGESTED RESOLUTION:

To recommend to the Birmingham City Commission the approval of an amendment to the Operational Procedures, Conditions and Regulations for the Greenwood Cemetery to add Section IX. LOT SALES - PAYMENT PLAN POLICY as follows:

IX. LOT SALES - PAYMENT PLAN POLICY

A payment agreement may be entered into to allow for the purchase price to be paid over a period of time.

Payment agreements require a 20% down payment of the total purchase price, with the remaining balance to be spread into equal monthly payments per plot for a period not to exceed 24 months. Such payment agreements shall be interest free.

A plot being purchased under a payment agreement may not be used for interment until the full purchase price has been paid.

If multiple plots are included in the Purchase Agreement, the monthly payments should be equally allocated to each lot. In the event interment is needed, then the end plot must be fully paid before interment can take place. This will require an additional payment to fully payoff the plot in question. Neither the cemetery, nor the plot owners shall transfer any funds, or credit any prior payments to other plots for this purpose.

For purchase agreements initiated in 2018 and subsequently, failure to pay the entire contract on or before the final payment due date will result in forfeiture of the unpaid plot(s) and all monies paid to date.

The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time of each payment, or upon the expiration date of the purchase agreement, whichever occurs first.

And further to renumber the subsequent three paragraphs accordingly:

- X. LOT RESALE POLICY
- XI. SCHEDULE OF FEES AND CHARGES
- XII. REVISIONS

Red-lined Version of Payment Plan Policy as drafted by City Attorney Currier for consideration by GCAB on June 1, 2018.

IX. LOT SALES - PAYMENT PLAN POLICY

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EXCERPT
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B. DISCUSSION OF CITY ATTORNEY'S RESPONSE TO PROPOSED PAYMENT PLAN POLICY FOR CEMETERY PLOTS

City Clerk Mynsberge reported:

- City Attorney Currier said more clarification is needed regarding payment for multiple plots.
- She would suggest getting rid of the second sentence in paragraph three.
- Paragraph four should be expanded to explain how plots should be paid for and used if the buyer is using fewer plots than the number purchased as part of the payment plan.

Ms. Suter suggested the fourth paragraph be changed to read:

"If multiple plots are included in a purchase agreement, the balance due on any one or more of the plots needed for interment must be fully paid before interment can take place. In the case that only a portion of the plots included in a purchase agreement are paid in full so that interment can take place, an end plot will be utilized first and others located adjacent subsequently as needed. Monthly payments may continue on the other plots."

Ms. Schreiner suggested that "money so allocated will not be shifted" be added to the end of the paragraph.

Ms. Gehringer asked that:

- The word "contractor" be removed from the last paragraph.
- The City be paid its 75% of each payment up front, and proposed this language: "The Greenwood Cemetery Perpetual Care Fund will receive 75% of the sale price for each plot sold under a payment agreement at the time of each payment, or upon the expiration date of the purchase agreement, whichever occurs first."

The GCAB was in consensus with the above language.

City Clerk Mynsberge said she would run the proposed language by City Attorney Currier and have the changes for the GCAB at the May 2018 meeting.