

**GREENWOOD CEMETERY ADVISORY BOARD  
MEETING AGENDA  
FRIDAY, OCTOBER 5, 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 September 7, 2018

**IV. NEW BUSINESS**

- A. Second Quarter 2018 Financial Report
- B. Second Quarter 2018 Greenwood Cemetery Perpetual Fund Report
- C. Deferment of tree planting(s) in Greenwood Cemetery.

**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. Payment Plan Policy
- B. Discussion of Master Plan Process

**VI. CONTRACTOR REPORT**

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

**VIII. BOARD COMMENTS**

**IX. ADJOURN**

**NEXT MEETING: DECEMBER 7, 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, SEPTEMBER 7, 2018 AT 8:30 AM  
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN**

**I. CALL TO ORDER**

Darlene Gehringer, Chairperson

**II. ROLL CALL**

Present: Linda Buchanan  
Darlene Gehringer  
Linda Peterson  
George Stern  
Laura Schreiner  
Margaret Suter  
Absent: Kevin Desmond

Administration: City Clerk Mynsberge, Deputy City Clerk Arft

**III. APPROVAL OF MINUTES**

A. Approval of meeting minutes of July 6, 2018

Ms. Buchanan noted that “Elmwood” should be changed to “Greenwood” on page three of the minutes under Board Comments.

Chairperson Gehringer recommended changing “own”, in the second paragraph on page three, to “are purchasing”.

**MOTION:** Motion by Mr. Stern, seconded by Ms. Peterson:  
To approve the minutes of July 6, 2018 as amended.

VOTE: Yeas, 6  
Nays, 0  
Absent, 1 (Desmond)

**IV. NEW BUSINESS**

A. Approval of 2019 Meeting Schedule

Ms. Schreiner noted that July 5, 2019 may be an issue since it is the Friday before July 4. She recommended the Board consider not meeting in July.

Chairperson Gehringer suggested:

- January 4, 2019 may be a difficult meeting for many to attend, and may be difficult for City Clerk Mynsberge to prepare for, since city offices are closed until January 2, 2019.
- January, 3 2020 is too far in advance to schedule.
- The May 3, 2019 meeting should be struck since the Clerk’s Office is busy at that time.
- Eight meetings in 2019 should be sufficient.

Ms. Peterson said that a special meeting could be scheduled if necessary.

**MOTION:** Motion by Ms. Buchanan, seconded by Ms. Suter:  
To approve the 2019 Meeting Schedule as amended. (Attachment A)

VOTE: Yeas, 6  
Nays, 0  
Absent, 1 (Desmond)

**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. Revised 2017 Annual Report

Chairperson Gehringer suggested going through the report page-by-page. She continued with the following comments:

- Advisory Board should be capitalized throughout the document.
- Page five, Item Four should have an additional sentence that says "The Cemetery perpetual care fund will receive 75% made at the end of each calendar quarter."

Ms. Schreiner said she would continue working on the language. The Board agreed to return to the item.

Mr. Stern said it was premature to delete #8 under RULES AND REGULATIONS, B. PAYMENT PLANS (pg 5) in light of the fact that there are "discussions in progress indicat[ing] the need to first establish a baseline of the property in terms of sites that are sold, sites that are occupied, and sites which remain unsold" as per page four of the 2017 Annual Report.

City Clerk Mynsberge clarified for Mr. Stern that #8 under RULES AND REGULATIONS, B. PAYMENT PLANS (pg 5) did not refer to the Master Plan.

Mr. Stern said he understood, but that he believes there are lots with more than two contiguous plots, meaning #8 under RULES AND REGULATIONS, B. PAYMENT PLANS (pg 5) would be added back in.

City Clerk Mynsberge replied that, at the last GCAB meeting, Elmwood Representative Cheri Arcome said there are no lots with more than two contiguous plots.

Ms. Schreiner said the Board's previous discussion over end-plots may ultimately be moot since the GCAB can only affect burial order for plots on a payment plan, and not for fully-paid plots which may be sold back to the City.

The Board consented to leave out language regarding end plots.

The Board returned to the discussion of perpetual care fund payments on page five.

Ms. Schreiner suggested "For plots under the payment plan for which funds have not been previously forwarded or paid to the perpetual fund, 75% of payments received to-date shall be remitted to the Perpetual Fund by [date] or with the next quarterly payment. Thereafter

payments to the perpetual fund shall be made in accordance with [whatever we were doing before or reiterate using the same language]."

Chairperson Gehringer said:

- She would like a specific date and to note that it is the next quarterly payment.
- This item should change to be Item Five, and the subsequent items should be renumbered accordingly.

City Clerk Mynsberge confirmed that Elmwood's remittances are verified against City records.

Ms. Suter stated that she wants to be sure that Elmwood remits the City's 75% portion regularly.

Chairperson Gehringer agreed with Ms. Suter and added that regular remittance is the ethical thing to do.

Ms. Schreiner read the final iteration:

"For plots under the payment plan, for which funds have not been previously forwarded or paid to the Greenwood Cemetery Perpetual Care Fund, 75% of payments received to date shall be remitted to the Greenwood Cemetery Perpetual Care Fund by December 31, 2018; thereafter, payments to the perpetual fund shall be made at the end of each calendar quarter."

Ms. Suter said she was alarmed to see sixty-month payment plans on page six. This sentiment was echoed by other Board members.

Chairperson Gehringer recalled Ms. Arcome indicating at a previous GCAB meeting that all payment plans except for one were 24-month plans. Ms. Arcome gave no indication that there were a number of payment plans that had lasted for five years. Chairperson Gehringer continued that:

- The Board is entitled to full disclosure from Elmwood and that she does not believe they are getting all relevant information.
- The Board cannot function without having all the information they need. It is not fair to the Board, to the residents, or to the City Commission, because the Board can only provide the information they have, which seems to, thus far, have been incomplete.
- Her comments regarding this matter should be included in the minutes so as to make the City Commission aware of the issue.
- The issues between Elmwood and the GCAB cannot be resolved when Elmwood does not attend the GCAB meetings.

Ms. Suter said she would like assurance that Elmwood is not doing any more sixty month terms.

City Clerk Mynsberge said she:

- Would call immediately after the meeting to confirm with Elmwood that no more sixty month terms are to be issued until further notice.
- Mistakenly did not forward this meeting's agenda to Ms. Arcome, leaving Ms. Arcome possibly unaware of the meeting.

Chairperson Gehringer noted that Elmwood has missed every meeting for the last year with the exception of the most recent one.

City Clerk Mynsberge acknowledged that was the case, and said that Ms. Arcome's attendance should be viewed as the start of a less confrontational relationship between the GCAB and Elmwood.

Ms. Schreiner opined that no one is perfect and it is possible that Ms. Arcome forgot since the sixty month terms had been paid in a timely manner and none had been issued recently.

Chairperson Gehringer said that she may come off more confrontational than she means to, and that she is not saying that Ms. Arcome intended deceit.

Chairperson Gehringer requested that:

- On page ten, under Roads, the final sentence be "The roads have been completed."
- In the introduction to the Annual Report, there should be a section that notes the GCAB is required to meet once per quarter with a subsequent note stating how many times the GCAB met in 2017.

Ms. Schreiner recommended that information regarding meeting requirements and number of meetings held be entered at the top of page three of the Annual Report, after the indented section.

City Clerk Mynsberge said:

- She would ask City Manager Valentine for ten minutes at the Long Range Planning Meeting for Chairperson Gehringer to present the GCAB's goals, at Mr. Stern's request.
- She would send a copy of the Annual Report once the updates were made, which she expected to be end-of-day on September 7, 2018.

Chairperson Gehringer requested a quarterly report for the Perpetual Care Fund moving forward. The Board concurred.

The Board agreed to have the City Clerk make the revisions and submit the Annual Report to the City Commission.

City Clerk Mynsberge said:

- The Annual Report would be included in Staff Reports at the end of the Commission's agenda.
- In the cover memo to the Commission, she will explain the Master Plan process for the GCAB including what the Board has tried, why it did not work, and what is being discussed going forward. The Commission will be made aware of all the work the GCAB has done.

**MOTION:** Motion by Ms. Buchanan, seconded by Ms. Suter:  
To approve the 2017 Annual Report as amended.

VOTE:                   Yeas, 6  
                              Nays, 0

Absent, 1 (Desmond)

B. Revised Proposed Payment Plan Policy for Cemetery Plots

City Clerk Mynsberge stated:

- Ms. Schreiner’s language and revisions are clear to the layman, which achieves the Board’s goals for the policy.
- The updated language from the Annual Report regarding payments should be incorporated into this policy.
- The second paragraph should read in part “Payment agreements require a 20% down payment of the total purchase price at the signing of the payment agreement. The remaining balance shall be spread into equal monthly payments for a period not to exceed 24 months. Further once allocated to one plot the funds are not transferrable to a different plot.”
- The fifth paragraph should begin “For purchase agreements initiated on or after October 1, 2018, failure to pay...”

Chairperson Gehring recommended changing part of the first sentence to read “...to allow for the purchase price of a plot(s) to be paid over a period of time.

City Clerk Mynsberge was provided written suggestions as to one or two other changes.

Ms. Suter suggested the ‘and’ not be in bold type.

**MOTION:** Motion by Ms. Suter, seconded by Ms. Buchanan:  
To approve the Payment Plan Policy for Cemetery Plots as amended.

VOTE: Yeas, 6  
Nays, 0  
Absent, 1 (Desmond)

C. Revised First Quarter 2018 Financial Report

City Clerk Mynsberge noted:

- The revisions to the report, and noted that the information provided to the Board by Ms. Arcome was current as of March 31, 2018.
- Elmwood has remitted the second quarter payments, and City Clerk Mynsberge will include the second quarter financial report in the next meeting’s agenda.

D. Discussion of Master Plan Process

City Clerk Mynsberge reviewed the work done so far on the process. She said the GCAB needs to narrow the scope of work, and in order to do that the GCAB must clarify exactly what they are hoping to accomplish. She suggested creating:

- A preliminary list of goals;
- The cost of accomplishing each goal;
- How long each goal will take to accomplish; and,
- Who can accomplish those goals.

This will allow the GCAB to either request specific outcomes from a master planner or will reveal that this is not a master plan process, but some other kind of process which requires a different

kind of consultant. If a different kind of consultant is needed, the GCAB can go to the Commission at that time, present their findings, and request a different consultant.

Mr. Stern complemented City Clerk Mynsberge on her work with this project and on going back to original recommendations from the Cemetery Advisory Committee.

Mr. Stern recommended looking into a comprehensive data processing plan for the cemetery and requested that an item be added to the next agenda to consider it.

City Clerk Mynsberge said that, while she sees the discussion moving in that direction, she would not like to invite any outside speakers until the Board agrees upon their preferred next steps.

Mr. Stern concurred and said he would, then, like the Board to consider a comprehensive data processing plan.

Chairperson Gehringer said she would like to consider an interactive website for Greenwood that would work both on mobile and on computers. She added a few more items for consideration:

- Donor programs;
- Friends of the Cemetery;
- Benches; and
- Selling bricks.

Ms. Schreiner suggested that the shed could be a good location for memorial bricks or a small pulley wall with niches for columbaria.

Mr. Stern said that the GCAB can best determine their focus by tracking supply and demand over the next year using the comprehensive data processing plan.

City Clerk Mynsberge said the GCAB should also calculate whether the number of lots left to sell gets the Perpetual Care Fund to the level needed to provide maintenance to the cemetery, without having to rely on taxes, once it is sold out. After that, the GCAB can determine whether something like columbaria need to be added to increase sales.

City Clerk Mynsberge confirmed that the Clerk's Office is working on the digitized burial records, and that those will continue to be updated once the election season has concluded.

Chairperson Gehringer said the GCAB should plan on reviewing the cemetery management agreement with Elmwood.

City Clerk Mynsberge stated that Elmwood does not charge an administrative fee for their work.

Mr. Stern left at 10:16 a.m.

Ms. Schreiner left at 10:18 a.m.

<b>VI. CONTRACTOR REPORT</b>
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<b>VII. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA</b>
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## VIII. BOARD COMMENTS

Linda Buchanan reported:

- Meeting with Ms. Suter, Ms. Laird from DPS, and an arborist from J. H. Hart to discuss the trees in Greenwood; and,
- Requesting that more trees be put in.
- There are disease-resistant elms that would work well in the cemetery.

In order to add more trees, Ms. Laird will need a map of available space in Greenwood.

Ms. Schreiner said this is not a process that should be rushed.

Ms. Buchanan suggested adding this discussion to the next agenda.

## IX. ADJOURN

The meeting adjourned at 10:20 a.m.

### **NEXT MEETING: OCTOBER 5, 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.*
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**ATTACHMENT A**

2019 Greenwood Cemetery Advisory Board Meeting Schedule  
as approved by the GCAB on September 7, 2018

**2019**

<b>MONTH</b>	<b>DATE</b>
February	1
March	1
April	5
June	7
August	2
September	6
October	4
December	6

**HISTORIC GREENWOOD CEMETERY 2018  
SECOND QUARTER REPORT**

**MONTHLY BURIAL SERVICES**

<b>MONTH</b>	<b>CREMATION BURIAL</b>	<b>FULL CASKETED BURIAL</b>	<b>DISINTERMENT</b>
APRIL	0	1	0
MAY	5	0	0
JUNE	2	0	0

**CEMETERY MAINTENANCE**

Winter clean-up completed. Lawn maintenance has begun. Water has been turned on. Except for the roads the cemetery is in good repair and looks good for Mother’s Day, Memorial Day and Father’s Day.

**CUSTOMER SERVICE, RECORD KEEPING AND LONG TERM CARE**

At the end of the quarter all of the records are up to date. No lot owner requests are outstanding and no transfers are pending.

**GRAVE SALES**

9 plot sales in the first quarter.

**JANUARY – MARCH (FIRST QUARTER)**

<b>2018</b>	<b>Purchased one grave</b>	<b>Purchased two graves</b>	<b>Purchased three or more graves</b>	<b>TOTAL SOLD</b>	<b>75% of sale paid to the City</b>	<b>25% of sale paid to the Contractor</b>
Resident	2		1(3 graves)	5	\$11,250.00	\$3,750.00
Non-Resident			1(4 graves)	4	\$9,000.00	\$3,000.00
<b>TOTAL</b>	<b>2</b>		<b>7</b>	<b>9</b>	<b>\$20,250.00</b>	<b>\$6,750.00</b>

**APRIL – JUNE (SECOND QUARTER)**

<b>2018</b>	<b>Purchased one grave</b>	<b>Purchased two graves</b>	<b>Purchased three or more graves</b>	<b>TOTAL SOLD</b>	<b>75% of sale paid to the City</b>	<b>25% of sale paid to the Contractor</b>
Resident						
Non-Resident			1(6 graves)	6	\$13,500	\$4,500
<b>TOTAL</b>			<b>6</b>	<b>6</b>	<b>\$13,500</b>	<b>\$4,500</b>

**2018 CUMULATIVE SALES TOTALS**

<b>Graves Sold</b>	<b>First Quarter</b>	<b>Second Quarter</b>	<b>Third Quarter</b>	<b>Fourth Quarter</b>	<b>TOTAL SOLD</b>	<b>75% of sale paid to the City</b>	<b>25% of sale paid to the Contractor</b>
Resident	5					\$11,250.00	\$3,750.00
Non-Resident	4	6				\$22,500.00	\$7,500.00
<b>TOTAL</b>	<b>9</b>	<b>6</b>				<b>\$33,750.00</b>	<b>\$11,250.00</b>

**NEWLY IDENTIFIED GRAVE SPACES\*\***  
**TOTAL NUMBER OF GRAVES SOLD PER SECTION**

Section	2015 Total	2016 Total	2017 Total	First Quarter 2018	Second Quarter 2018	Third Quarter 2018	TOTAL Number of Graves Sold To Date	Number of Graves Remaining
B	33	60	36	1	6		136*	272
C	11	24	5	7	0		47*	25
D	6	0	0	0	0		6	6
K	14	5	0	0	0		19	0
L	8	4	0	0	0		12	4
O	6	0	0	0	0		6	4
<b>TOTAL</b>	<b>78</b>	<b>93</b>	<b>41</b>	<b>8</b>	<b>6</b>		<b>226</b>	<b>311</b>

\*Per City Commission request, once 200 graves are sold in Sections B & C, the GCAB must review those Sections prior to additional graves being sold. No more than 240 graves can be sold in those two sections prior to GCAB review. **Total to date: 183**

\*\*Only flush memorials are allowed in the newly identified grave spaces.

**AREAS ALONG THE ROAD (SECTIONS E & G)**  
**TOTAL NUMBER OF GRAVES SOLD PER SECTION**

Section	2015 Total	2016 Total	2017 Total	First Quarter 2018	Second Quarter 2018	Third Quarter 2018	TOTAL Number of Graves Sold To Date	Number of Graves Remaining
E	11	0	0	0	0		11	0
G	14	1	3	1	0		19	0
<b>TOTAL</b>	<b>25</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>0</b>		<b>30</b>	<b>0</b>

**REMAINING SECTIONS WITH AVAILABLE LOTS**  
**TOTAL NUMBER OF GRAVES SOLD PER SECTION**

Section	2015 Total	2016 Total	2017 Total	TOTAL Number of Graves Sold To Date	Number of Graves Remaining
F North	0	0	3	3	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>0</b>

**PLOTS UNDER CONTRACT (PAYMENT PLAN) IN SECTIONS B, C, K, L & O**

*Current through June 30, 2018*

<b>Section</b>	<b>Lot</b>	<b>Grave Nos.</b>	<b>Date of Agreement</b>	<b>Term of Agreement</b>	<b>NUMBER OF PLOTS</b>
B	1-A	24	06/21/2018	24 months	1
B	4-A	19, 20	10/23/2017	24 months	2
B	5-C	19, 20	10/23/2017	24 months	2
B	10-A	3, 4	11/16/2015	36 months	2
B	11-A	23	06/26/2018	24 months	1
B	12-A	9, 10	07/15/2016	24 months	2
B	12-A	11, 12	09/15/2016	24 months	2
B	6-C	23, 24	06/13/2018	24 months	2
C	16-C	5	06/13/2018	24 months	1
C	16-C	6	06/13/2018	24 months	1
C	17-C	23, 24	10/26/2016	60 months	2
C	18-A	9, 10	11/04/2016	36 months	2
C	19-A	5, 6	09/21/2017	24 months	2
K	12-A	5, 6	08/26/2015	60 months	2
L	16-A	9, 10	12/03/2015	60 months	2
O	20-A	7, 8	08/26/2015	60 months	2
O	20-B	5,6,7,8	04/22/2016	60 months	4
<b>TOTAL:</b>					<b>32</b>

This concluded the 17<sup>th</sup> quarter (52 months) as the operator of Historic Greenwood Cemetery.

GL NUMBER	DESCRIPTION	ACTIVITY FOR QUARTER 06/30/2018	YTD BALANCE 06/30/2018
Fund 150 - GREENWOOD CEMETERY PERPETUAL CARE FUND			
Revenues			
Dept 000.000			
CHARGES FOR SERVICES			
150-000.000-643.0000	SALE OF CEMETARY PLOTS	33,750.00	69,750.00
CHARGES FOR SERVICES		33,750.00	69,750.00
INTEREST AND RENT			
150-000.000-664.0000	INVESTMENT INCOME	2,999.81	11,282.32
150-000.000-665.0002	GAIN (LOSS) ON INVESTMENT	0.00	289.45
150-000.000-665.0003	UNREALIZED GAIN (LOSS)	18,509.02	18,509.02
INTEREST AND RENT		21,508.83	30,080.79
TRANSFERS IN			
150-000.000-699.0101	TRANSFER FROM GENERAL FUND	0.00	20,000.00
TRANSFERS IN		0.00	20,000.00
Total Dept 000.000			
		55,258.83	119,830.79
TOTAL REVENUES			
		55,258.83	119,830.79
Fund 150 - GREENWOOD CEMETERY PERPETUAL CARE FUND:			
TOTAL REVENUES		55,258.83	119,830.79
TOTAL EXPENDITURES		0.00	0.00
NET OF REVENUES & EXPENDITURES		55,258.83	119,830.79
BEG. FUND BALANCE			514,443.29
END FUND BALANCE			634,274.08



**MEMORANDUM**

City Clerk's Office

**DATE:** October 2, 2018  
**TO:** Greenwood Cemetery Advisory Board  
**FROM:** J. Cherilynn Mynsberge, City Clerk  
**SUBJECT:** Deferment of Cemetery Tree Planting

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At the GCAB's September 7, 2018 meeting, Ms. Buchanan reported she and Ms. Suter met with a representative of the Department of Public Services and an arborist from J.H. Hart to discuss adding more trees within Greenwood Cemetery.

Because the Greenwood Cemetery Advisory Board (GCAB) is a recommending Board to the City Commission, plans for tree plantings at the cemetery would be appropriately discussed and voted on as a Board. Other parties with knowledge and interest in the cemetery should be consulted, such as the Department of Public Services and our contractor, Elmwood Historic Cemetery. Consequences, such as possible loss of burial spaces, would need to be considered before making a recommendation.

On March 17, 2017 the City Commission directed the GCAB to develop a master plan for the cemetery including a map. That direction is still the Commission's active objective for the GCAB. Recommendations on tree plantings in the cemetery would be an item that would come out of the master planning process as a goal.

**SUGGESTED RESOLUTION:**

To defer consideration of tree planting plans for the cemetery to the master plan process.



**MEMORANDUM**

City Clerk's Office

**DATE:** October 2, 2018  
**TO:** Greenwood Cemetery Advisory Board  
**FROM:** J. Cherilynn Mynsberge, City Clerk  
**SUBJECT:** Payment Plan Policy

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On September 17, 2018 the GCAB's proposed Payment Plan Policy for Greenwood Cemetery was to be considered by the City Commission. Because the policy had not been reviewed by legal counsel, it was withdrawn from the Commission's agenda pending legal review.

Several comments were made about the content of the policy. An excerpt of the Commission meeting minutes is attached.

City Attorney Currier has reviewed the proposed policy as submitted by the GCAB, and has made revisions compatible with the City Commission's comments while maintaining the meaning and substance of the GCAB's version.

If the GCAB approves this revised version, it will be presented to the City Commission at their October 29, 2018 meeting, along with the Annual Report.

**ATTACHMENTS:**

- Proposed policy, clean
- Proposed policy, red lined
- Memo from City Attorney Currier
- Excerpt from September 17, 2018 City Commission meeting minutes

**SUGGESTED RESOLUTION:**

To recommend to the City Commission approval of the Payment Plan Policy as approved by the Greenwood Cemetery Advisory Board on October 5, 2018.

## **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 not to exceed 24 months and the period provided to cure a default. A copy of this Payment Plan Policy shall be attached to all installment payment agreements and shall be provided to the Purchaser.

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 the payment period. Such payment agreements shall be interest free. If the Purchaser is buying more than 1 plot, prepayments shall be allocated equally to all plots being purchased. There shall be no prepayment penalty to the Purchaser.

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 payment in question shall be equally allocated to each plot. In the event interment is needed, the plot to be used must be fully paid before interment can take place. This will require an additional payment to fully payoff the plot in question. The remaining plots shall continue on the installment payment basis until all plots are paid in full or the agreement is otherwise terminated. Neither the cemetery, nor the plot owners shall transfer any funds, or credit any prior payments for other plots for this purpose.

In the event a Purchaser fails to make an installment payment, the Purchaser shall have 90 days from the default to cure the deficiency and bring the payments current.

For purchase agreements initiated in 2018 and subsequently, failure to pay the entire contract on or before the final payment due date and the cure period 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, plus the cure period, whichever occurs first.



Revised policy - red lined version

## 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 not to exceed 24 months and the period provided to cure a default. A copy of this Payment Plan Policy shall be attached to all installment payment agreements and shall be provided to the Purchaser. –

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-the payment period not to exceed 24 months. Such payment agreements shall be interest free. If the Purchaser is buying more than 1 plot, prepayments shall be allocated equally to all plots being purchased. There shall be no prepayment penalty to the Purchaser.

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 payment in question should-shall be equally allocated to each plot. In the event interment is needed, the plot to be used must be fully paid before interment can take place. This will require an additional payment to fully payoff the plot in question. The remaining plots shall continue on the installment payment contract-basis until all plots are paid in full or the agreement is otherwise terminated. Neither the cemetery, nor the plot owners shall transfer any funds, or credit any prior payments to-for other plots for this purpose.

In the event a Purchaser fails to make an installment payment, the Purchaser shall have 90 days from the default to cure the deficiency and bring the payments current.

For purchase agreements initiated in 2018 and subsequently, failure to pay the entire contract on or before the final payment due date and the cure period 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, plus the cure period, whichever occurs first.

**MEMORANDUM**

**To: Ms. J. Cherilynn Mynsberge**  
**From: Tim Carrier**  
**Re: Back payments from Elmwood**  
**Date: October 3, 2018**

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Cherilynn,

I understand that Elmwood has already entered into a payment plan with several purchasers of plots in Greenwood Cemetery. Under this payment plan, Elmwood was holding all funds until the plots were paid for in full before remitting 75% to the City. This was not a contract entered into with the City. It was an initiative from Elmwood which the Greenwood Cemetery Advisory Board is picking up on to continue as a formalized policy.

With regard to these back payments, I suggest that it is best that the Advisory Board recommend to the City Manager that a discussion be held between the City Manager and Elmwood regarding these back payments to see if we can get into a consistent accounting program in connection with the payment of the 75% due to the Perpetual Care Fund.

Should you have any questions, please do not hesitate to contact me.

*EXCERPT*  
**BIRMINGHAM CITY COMMISSION MINUTES**  
**SEPTEMBER 17, 2018**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

**V. UNFINISHED BUSINESS**

**09-258-18 UPDATES TO PROCEDURES, CONDITIONS AND REGULATIONS FOR GREENWOOD CEMETERY**

City Manager Valentine recommended withdrawing this item for the time being pending a full legal review. Subsequently the item would come back before the Commission.

Commission Hoff asked for the number of plots that have already been sold and the total contributions made to the Greenwood Cemetery Perpetual Care Fund.

City Clerk Mynsberge replied:

- She could have that information for when this item returns to the Commission.
- Thirty plots are currently under payment plan.

Mayor Harris:

- Asked how the purchaser is made aware of the policy;
- Stated he would like to see language about pre-payment and how those payments would be allocated to plots;
- Stated the accelerated payment or pre-payment options are inconsistent with a proportionate distribution if there are multiple plots, which should be clarified;
- Stated purchases should not forfeit all previous payments if one payment is missed, as there should be a cure period; and,
- Stated the allocation of funds to the perpetual care account should be clarified.

Mayor Pro Tem Bordman said paragraph two has unnecessary repetition which should be revised.

The Commission took no action.



## **MEMORANDUM**

City Clerk's Office

**DATE:** October 2, 2018  
**TO:** Greenwood Cemetery Advisory Board  
**FROM:** J. Cherilynn Mynsberge, City Clerk  
**SUBJECT:** Master Plan Process

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At the September 7, 2018 GCAB meeting the Board began to chart the functions necessary to achieve the goal of master planning for the Cemetery. The items can easily be grouped into two main categories: Determining the "baseline" of the Cemetery's records, and Creating Financial Vehicles.

I recommend the Board work on creating a "baseline" as the first task. The ideas on the chart need to be detailed as to what outcome is being sought, how to achieve that outcome, what information needs to be gathered and how it will be done, and what the cost may be.

As the Board moves further into this process it would be beneficial to create a clear vision of the goal of the project. For instance, what is the desired result from a master plan? Is it the financial ability to maintain the Cemetery in perpetuity? Is it to create more interment space? Is it to beautify the Cemetery's park-like atmosphere? What is of benefit to the residents of Birmingham, to the families of those interred, and to owners of plots within the Cemetery?

**ATTACHMENTS:**  
Process Chart

## GREENWOOD CEMETERY ADVISORY BOARD

### MASTER PLAN PROCESS PLANNING

FUNCTION	SOURCE	ESTIMATED COST	TIMELINE
Definitive location of Potters Field	Possibly Historic District Study Committee (HDSC)	n/a	3-9 months
Establish baseline of plots sold and unsold	Board, Clerk, Contractor	Labor for city staff	3-9 months
Match records with headstones and collect biographical information for electronic map	Possibly HDSC	n/a	3-9 months
Ground Penetrating Radar to verify records	Contracted professional	\$7,800 - \$29,400 - \$36,000 (3 quotes received Sept. 2016)	Unknown
Historic headstone inventory of needed repairs.	Possibly HDSC, and/or Friends of the Museum	Unknown costs for actual repairs	Unknown
Comprehensive data processing plan			
Donor programs			
Friends of the Cemetery			
Benches			
Selling bricks			
Columbaria			