

**GREENWOOD CEMETERY ADVISORY BOARD
MEETING MINUTES
FRIDAY, APRIL 1, 2016 AT 8:30 AM
MUNICIPAL BUILDING, ROOM 205, 151 MARTIN**

I. CALL TO ORDER

Laura Schreiner, Vice-Chairperson

II. ROLL CALL

Present: Linda Peterson
Darlene Gehringer
Laura Schreiner
George Stern
Linda Buchanan

Absent: Kevin Desmond
Barbara Thurber

Administration: Laura Pierce, City Clerk, Cheryl Arft, Deputy Clerk

Guests: Cheri Arcome, Elmwood Cemetery

Mr. Stern announced that Barbara Thurber advised him that she is resigning from the Advisory Board due to health reasons.

III. APPROVAL OF MINUTES

A. Approval of meeting minutes of February 5, 2016
Mr. Stern asked to add Ms. Gehringer's comment that the donations are free will donations, and could be specified to general cemetery operations or to preservation efforts.

MOTION: Motion by Stern, supported by Gehringer:
To approve the minutes of February 5, 2016 as amended.

VOTE: Yeas: 5
Nays: None
Absent: 2, (Desmond, Thurber)

IV. UNFINISHED BUSINESS

Mr. Stern stated the cemetery is at a crisis point. He feels the money from grave sales is being misallocated, and feels the issue should be clarified and the City Manager should notify the City Commission. He referred to the agreement with Elmwood, specifically paragraph 1, to incorporate the RFP, and paragraph 3 regarding the sale of new and reclaimed graves.

Ms. Schreiner said this can be brought up under new business or board comments. Mr. Stern said he wanted the chairperson to know he was going to bring up this issue ~~up~~. Ms. Schreiner summarized that Mr. Stern has requested an answer on this issue.

Mr. Stern suggested a motion to have the Clerk bring to staff that the Board requests clarification of the allocation of the funds deposited in the Perpetual Care fund.

Ms. Gehring suggested the motion be amended by adding 25% to Elmwood, 50% to Perpetual Care fund, and 25% to city as capital cost recovery. Ms. Schreiner noted that the city can be more generous if it chooses.

MOTION: Motion by Stern, supported by Gehring:

To have the Clerk bring to staff that the Board requests clarification of the allocation of the funds deposited in the Perpetual Care fund as 50%, 25% to Elmwood and 25% to the city as capital cost recovery.

Vote: Yeas: 5
Nays: None
Absent: 2, Desmond, Thurber

Mr. Stern is still concerned that this Board has the potential to be misled as far as the two-tier system is concerned. He has surveyed several communities.

Ms. Schreiner summarized that Mr. Stern wants to see the actual law. Ms. Gehring asked could the city legally have a two-tier system. Mr. Stern is looking for legal justification. Ms. Pierce stated that if the motion passes, she will submit the request for a legal opinion.

MOTION: Motion by Stern, supported by Peterson:

To seek legal clarification regarding the two-tier system since the Board has the potential to be misled on this issue.

Vote: Yeas: 5
Nays: None
Absent: 2, (Desmond, Thurber)

Mr. Stern received a phone call from someone asking for clarification on the annual report as to the number of plots available for sale. He commented that the City Commission is concerned about selling all the lots. There is confusion as to the number of plots sold or available for sale in each section, and he would like clarification.

Ms. Pierce plans to submit the annual report to the City Commission in April. The board agreed it would like to see the annual report before it is submitted to the City Commission.

MOTION: Motion by Stern, supported by Peterson:

To ask for an IT review of systems to track the cemetery records.

Ms. Gehring would like to see a system where the public can access cemetery records.

Ms. Schreiner noted that the discussion of digitization of records is coming up.

The board agreed to table the motion about digitizing records until it comes to the Board on the agenda.

Mr. Stern thinks the report will show the city is at a crisis point and we should go forward with reclamation, and he would like a clarification of the letter from counsel of August 2015.

V. NEW BUSINESS

A. Election of Chairperson (& Vice-Chairperson if needed)
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Ms. Buchanan asked Ms. Schreiner if she would agree to be chairperson. Ms. Schreiner said if no one else is interested, she will agree.

Ms. Schreiner nominated Ms. Gehringer, and Mr. Stern supported the nomination.

Ms. Peterson nominated Ms. Buchanan. Ms. Buchanan declined the nomination.

MOTION: Motion by Stern:
To elect Ms. Gehringer as chairperson by acclamation.

VOTE: Yeas: 5
Nays: None
Absent: 2, (Desmond, Thurber)

Ms. Pierce noted that election of officers is to be held in July of each year.

B. Donor Recognition Program

Ms. Pierce briefly described the report on the program and presented a draft policy which was based on the present Parks and Recreation Donor policy. She is asking for the Board's input on items to include in the cemetery policy, which will then be submitted to the City Manager and City Attorney.

Ms. Schreiner suggested to tighten the language regarding the donor identifying the specific use. Ms. Gehringer agreed and suggested that it could be stressed that the city has the final say.

In Section 1b, a suggestion was made to reword the paragraph to "Monetary donations, such as cash or negotiable securities, will be used toward the preservation of historical monuments and markers. While donors may identify a specific use for the City's consideration, funds may be used to best meet the needs of Greenwood Cemetery by the City of Birmingham."

Ms. Schreiner said a consideration is to preserve what we have and also safety concerns.

Ms. Gehringer suggested that in the last sentence of Section a of the Donation Categories, the wording should say "Donors should contact the City of Birmingham or the City Clerk."

In the Donor Recognition section, add Section c to read "Naming rights on any cemetery feature must be approved by the City of Birmingham."

Ms. Schreiner suggested changing the contact to the City Clerk at the City of Birmingham.

MOTION: Motion by Schreiner, supported by Stern:
To recommend that the City Manager and City Attorney review the Greenwood Cemetery Donor Recognition Program as amended.

VOTE: Yeas: 5
Nays: None
Absent: 2, (Desmond Thurber)

C. Update on PA 13 of 2016 regarding Endowment & Perpetual Care Funds

Ms. Pierce described the update on Public Act 13 of 2016, also known as SB 303. She noted that the Advisory Board is not in charge of directing the City how/where to invest its funds.

Mr. Stern suggested a motion to recommend that the City Manager or Finance Department prepare a recommendation to the City Commission if needed so the investment of the fund can receive a higher return. Ms. Gehringer noted that the Board has no control. There was no second.

Mr. Stern thinks the Board should advise the Finance Department to follow up on the new law, and asked for a report at the next meeting. Ms. Pierce said at this time, no changes will be made ~~due to considerations~~.

Ms. Schreiner noted that the law is effective May 16. Ms. Pierce said she would keep the Board apprised of any changes, and noted that the board could invite the Finance Director to a future meeting.

VI. CONTRACTOR REPORT

Ms. Arcome noted that sales were stagnant due to the winter months. For the most part, activity at Greenwood was for "at need" situations, which resulted in two sales. The 4th quarter report will be detailed at the next meeting with the annual report.

Mr. Stern asked what the stakes are at Greenwood. Ms. Arcome said they are snow stakes, for plowing purposes and to mark the lots. They will be removed in the next few weeks. Mr. Stern asked that Elmwood find something more appropriate for next winter. Ms. Arcome noted that the clay pins are gradually being replaced with metal pins for easier identification.

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

VIII. BOARD COMMENTS

Mr. Stern noted that Chapter 34-29 (f)(1) of the City code requires an annual (fiscal year, July 1 through June 30) accounting as of June 30 of each year. Chapter 23-30 (h) requires the Advisory Board make and submit to the City Commission annually a report of the general activities, operation, and condition of the Greenwood Cemetery for the preceding 12 months.

Ms. Pierce noted that the Perpetual Care fund is part of the budget review by the City Commission on April 16th, and is reported in the budget. She said the interest earned on the funds is what can be used for cemetery projects. She added that the required annual report is not specific in time frame. The city is using the calendar year since it is quarter based.

Mr. Stern moved that the City Commission include the cemetery as a line item. There was no second.

IX. ADJOURN

The meeting adjourned at 9:49 AM.

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