DIVISION OF

OCCUPATIONAL AND PROFESSIONAL LICENSING

Office of Cemetery Oversight

1100

N. Eutaw Street, 5th

Floor

Baltimore, MD 2120

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OFFICE OF CEMETERY OVERSIGHT

ADVISORY COUNCIL ON CEMETERY OPERATIONS

MINUTES

DATE: February 24, 2022

TIME: 10:05 a.m. – 11:40 a.m.

PLACE**:**  ***Meeting ID:***[https:// meet.google.com/ ean-zoxr-zgt](https://meet.google.com/ean-zoxr-zgt)

*Phone Numbers*

*(US)+1 415-737-9563*

PIN: 991 991 730#

**MEMBERS PRESENT**

Frank Porter, Chair

Rebecca Edmiston (Bailey)

Bruce Hultquist

Yvonne Fisher

Craig Huff

Ronald Pearcey

Walter Tegeler

David Zinner

# MEMBERS ABSENT

J. Michael Bennett

Erich March

# STAFF PRESENT

Gregory Morgan – Commissioner of Occupational & Professional Licensing

Kausar Syed – Deputy Commissioner of Occupational & Professional Licensing

Deborah Rappazzo - Director, Office of Cemetery Oversight

John Hart - Assistant Attorney General, Office of Cemetery Oversight

Leila Whitley - Administrative Aide, Office of Cemetery Oversight

Dreama Anderson - Investigator, Office of Cemetery Oversight

**STAFF ABSENT**

N/A

**VISITORS**

Dr. Elizabeth Hughes – Director and State Historic Preservation Officer, Maryland Historical Trust

Anne Raines – Deputy Director & Deputy State Historic Preservation Officer

Jeanne Taborsky – Bohemian National Cemetery

Mark Labuda – Labuda Monuments

Richard Cody – Resthaven Memorial Gardens, Maryland Cemetery & Cremation Association (MCCA)

Carol Toro – Horton’s Memorial Gardens LLC d/b/a Chesapeake Highlands Memorial Gardens

Monica Pierce – StoneMor

Robert Silkworth – Standiford Memorials

Talana Watson – Green Acres Memorial Park

Darlene Smith - Monocacy Cemetery

**CALL TO ORDER**

Chair Porter called the meeting to order at 10:05 a.m.

**MINUTES**

The minutes from January 27, 2022 were read and approved.

# EXECUTIVE DIRECTOR’S REPORT

Director Rappazzo introduced the guest speaker, Elizabeth Hughes, Director and State Historic Preservation Officer for the Maryland Historical Trust, Maryland Department of Planning.

**Guest Speaker – Director Elizabeth Hughes**

Director Hughes spoke about their Identification and Preservation Program and how her commission engages with communities. Council Member Zinner asked how many cemeteries have been identified so far. Director was not certain of the number of cemeteries. Legal Counsel Hart asked has there ever been an issue of getting access on private property to survey the land. Director Hughes responded that there was an uncooperative owner that has been identified in a report, but she is not certain of the outcome of the complaint. A question was directed to Director Hughes pertaining to requirements for the need to obtain ground penetrating services for old cemeteries. Director Hughes replied there is not a particular requirement to obtain this type of service for each old cemetery. However, depending on the needs when looking at an old cemetery such as boundary lines and burial sites, etc., the decision may be to have one performed. Therefore, the necessity to obtain ground penetrating services is viewed on a case-by-case scenario.

Director Hughes introduced Anne Raines with the Department of Planning to provide an update on grants that the department has been awarded. Raines said the organization has awarded about 50 grants over 11 years. A couple of cemetery related issues they have assisted with are markers that have tilted, and markers that have been broken, etc. Director Hughes stated the organization cannot stop mishaps from taking place in old cemeteries.

The OCO is required by statue to provide to the General Assembly an update every 5 years of the number of cemeteries inventoried in Maryland. Director Rappazzo responded, OCO is continuously adding to the cemetery inventory listing and the information is submitted to the General Assembly yearly. Legal Counsel Hart added, before COVID, OCO had summer interns entering information into the inventory list. Director Rappazzo would like to have a meeting with all county representatives that collect information on cemeteries so that one cemetery listing with the information can be created. Council Member Fisher inquired about a college student to work on the inventory list. Commissioner Morgan informed the Advisory Council; that there are some UMBC students that have been considered for another project, and maybe they can help with updating the cemetery inventory listing. Director Rappazzo suggested that maybe OCO can send a request to all registrants and permit holders for any listings that have been created on identified for cemeteries in Maryland.

Director Rappazzo briefly summarized the document for the number of permits and registrants that OCO has, and the budget document. The Director will do another analysis for renewal fees and contract fees for fiscal year 2023. Once more information has been collected and reviewed the forecasted budget for future fiscal years will be updated and shared with the Council.

Council Member Zinner informed the council about information regarding grants that have been received for the PRINCE Project.

**FINANCIAL COMPLIANCE**

The director briefly discussed the Perpetual Care Compliance Report.

Director Rappazzo has completed the hiring documentation and is awaiting approval to begin the interview process for the vacant Compliance Administrator position.

# INVESTIGATOR’S REPORT

Investigator Anderson provided to the Council a breakdown of the different types of complaints received for the reporting period of January 24, 2022 to February 23, 2022. There was a total of 5 new complaints. They are as follows:

Employee Service - 1

Uninstalled Memorial Order -2

Pre-Need Contract – 1

Wrongful Burial – 1

The number of open complaints is 12.

Investigator Anderson requests information on all new complaints such as copies of contracts and/or deeds and any other supportive documentation as a part of her investigation. Investigator Anderson does receive complaints regarding cemeteries not permitted with the OCO. Legal Counsel Hart informed the Advisory Council, that the Office is still required to attempt to resolve issues that consumers have with non-permitted OCO cemeteries. Mr. Cody inquired, if there are more of these types of complaints with OCO than permitted cemeteries and if so, should the non-permitted cemeteries be licensed. Legal Counsel Hart directed the group to the statute that provides language of which cemeteries are and are not permit holders with the Office.

# LICENSING SPECIALIST

Ms. Whitley informed the council of how many renewals had been processed for the month of January and up until the 3rd week of February.

# LEGISLATIVE UPDATE

Legal Counsel Hart addressed the Council on proposed new regulation: 09.34.01.13 Communication from Director -Failure to Respond. This is a regulation that other boards and commissions in the Occupational and Professional Licensing Department (O & P) already have in place. The proposed regulation requires licensees to respond to requests from OCO within 30-days of the request and provides the OCO with the ability to discipline the licensee if they fail to respond. The proposed new regulation was read aloud to the Council. Chair Porter made a motion to initiate a proposed action on the new regulation: 09.34.01.13 Communication from Director -Failure to Respond. The motion was seconded by Council Member Fisher and Council Member Hultquist. The Council voted unanimously to initiate a proposed action on the regulation.

Also discussed was “SB219 – Office of Cemetery Oversight – Sunset Extension” which will extend the Office for another ten years until October 1, 2033. The Bill passed out of the Senate on 01/27/2022. The Bill has been referred to the Economic Matters Committee in the House.

Also discussed was “HB1251-Deparment of Veterans Affairs - Burial in State Veteran’s Cemeteries – Spouses and Dependents,” A hearing is scheduled on the Bill for 03/08/2022. This Bill will prohibit the Department of Veterans Affairs from charging a fee for opening and closing of a burial plot when burying a spouse or dependent of a veteran at a State veteran’s cemetery. This Bill has no effect to the OCO.

**UNFINISHED BUSINESS** None.

# NEW BUSINESS

None.

# COUNCIL CONCERNS

Director Rappazzo informed the Council, in a couple of months, the online prototype of how registrants will apply for new and/or renewal registrations will be available.

Chair Porter shared with the Council that the Medical Examiner’s Office has run into a major problem with fulfilling the completion of timely autopsies. In turn, Funeral directors are having issues with not being able to bury individuals in a timely manner.

**PUBLIC COMMENTS**

Mr. Cody announced he will have his first meeting as President of Maryland Cemetery & Cremation Association in April 2022.

# ADJOURNMENT

The next meeting is scheduled for March 24, 2022, and it will be a virtual meeting.

There was a motion to adjourn.

**Chair’s Signature: \_*Signature On File*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**