



Department of Commerce

Division of Real Estate & Professional Licensing

John R. Kasich, Governor
Jayme Brown, Interim Director

MINUTES OF THE MEETING OF THE OHIO CEMETERY DISPUTE RESOLUTION COMMISSION

**Division of Real Estate & Professional Licensing
77 S. High Street, 31st Floor, Hearing Room East B
Columbus, Ohio 43215-6133**

**December 13, 2012
10:00 a.m.**

PRESENT: Marilyn Brandt, Chair; Robert Winter, Vice-chair; David Shanteau; Phyllis Byard; Tony Hughes; Rufus Slade; Anne M. Petit, Superintendent; Laura Monick, Division Legal Counsel; and Keith O’Korn, Assistant Attorney General.

I. Preliminary Matters:

Roll Call: Chairperson Marilyn Brandt called the meeting to order with the record reflecting all members of the Ohio Cemetery Dispute Resolution Commission present.

Approval of Minutes: The minutes from the September 20, 2012 of the Ohio Cemetery Dispute Resolution Commission meeting were reviewed. Phyllis Byard moved to approve the minutes. Robert Winter seconded the motion, which passed unanimously.

Superintendent’s Report: Superintendent Petit began the report by commenting on the posting of the new external auditor position. She also presented a status report on the new hearing room that will be on the 22nd floor for the use of the Commission. Discussion continued on the enforcement statistics and the November monthly financial report. The superintendent concluded discussion regarding her contact with the Governor’s office about the open commission member seats.

I. Old Business

Case No. 2012-384 Harry Williamson, Jr. vs. Ridge Hill Memorial Park – Lorain Co. – Registration 980466

Harry Williamson, Jr. presented his complaint to the Commission. The cemetery operator was represented by John Dovin, cemetery board president. After discussion with both parties, David Shanteau moved to refer the alleged violation of ORC 1721.19 to the prosecuting attorney of Lorain County to initiate such proceedings as are appropriate. Tony Hughes seconded the motion, which passed unanimously. David Shanteau then moved to close the case. Robert Winter seconded the motion, which passed unanimously.

II. New Business

Case No. 2012-468 Charlene Florence vs. Greencastle Cemetery – Montgomery Co. – Registration 983206

Neither party attended the meeting. Laura Monick presented the case. Phyllis Byard moved to close the complaint. Tony Hughes seconded the motion, which passed unanimously.

Case No. 2012-481 Carol Gilmore vs. Jeffersonview Cemetery Association – Montgomery Co. – Registration 983065

Carol Gilmore presented her complaint to the Commission. The cemetery operator was represented by Eddie Dudley, cemetery board president and Caretaker Vernon Merritt. After discussion with both parties, Tony Hughes moved to close the case. Rufus Slade seconded the motion, which passed unanimously.

Case No. 2012-537 Thomas McDonald vs. Canfield City Cemetery – Mahoning Co. – Registration 983231

Neither party attended the meeting. Laura Monick presented the case. Robert Winter moved to close the complaint. Tony Hughes seconded the motion, which passed unanimously.

David Shanteau recused himself from the meeting.

Case No. 2012-524 Sandra Yost vs. Highland Memorial Park – Mahoning Co. – Registration 981251

Neither party attended the meeting. Laura Monick presented the case. Rufus Slade moved to close the complaint. Tony Hughes seconded the motion, which passed unanimously.

David Shanteau returned to the meeting.

III. Other Business

2013 Meeting Dates – March 21st, July 18th, September 19th, December 12th.

IV. Other Business

Five Year Rule Review - The Commission reviewed the proposed changes to Ohio Administrative Code 1301:01 that were provided by Division Legal Counsel. Rufus Slade moved to approve the proposed changes in Ohio Administrative Code 1301:01 as provided by the Division and to have the Division move forward with the rule review process. Tony Hughes seconded the motion, which passed unanimously.

V. Adjournment