

**MINUTES OF THE MEETING OF THE
OHIO CEMETERY LAW TASK FORCE**

77 S. High Street, 22nd Floor Hearing Room
Columbus, OH 43215-6133

August 20, 2014
10:00 a.m.

I. Preliminary Matters

Co-chair Noonan called the meeting to order.

Roll Call: Laura Monick conducted roll call.

Present: Stephen George, Hon. Keith G. Houts, Hon. Cory Noonan, Anne M. Petit, Patrick Piccininni, Jay Russell, David Snyder, James Turner, James Wright.

Excused: Daniel Applegate, Dr. John N. Low

Review of Meeting Minutes: Co-chair Noonan opened the floor for discussion of the minutes of the July 25, 2014 meeting of the Ohio Cemetery Law Task Force. There being no discussion Mr. Turner moved to approve the minutes of the July 25th meeting. Mr. Piccininni seconded the motion. The motion passed unanimously.

II. Old Business

Co-chair Noonan opened the floor for discussion of old business.

Co-chair Petit introduced a letter from Bureau of Workers' Compensation Administrator Steve Buehrer as addressed to Timothy C. Long, Ohio Cemetery Association Legislative Agent and Attorney, relating to the scope rating of cemetery salespeople. The task force discussed the complexity of the issue and that they were encouraged by the information that there is now an open dialogue concerning the issue. Mr. Russell then moved that the task force should note in the final report that this is an area of concern for cemeteries due to the impact of scope ratings on operating expenses. Mr. Turner seconded the motion. The motion passed unanimously.

The discussion was then turned over to Mr. Turner to explain the process being followed by the sub-committee at their August 8th meeting. The sub-committee also met prior to this meeting to begin editing the initial draft as sent to the task force members. The task force then discussed the structural outline for the final report, the appropriate sections for topics that will be laid out in the final report and where more detail was needed.

The task force then moved on to the natural burial definition. The task force previously agreed to a definition and was left with discussing the proper location for the definition in the Revised Code. For consistency, the task force agreed that the definition should be placed in Ohio Revised Code section 1721.21 with the other cemetery definitions. This also requires a revision to Ohio Revised Code section 4767.01(A) to add the term "natural burial."

Finally, the task force touched on the topic of tax advantaged easements and set aside programs. Research conducted by Mr. Russell found that Indiana has a process to lower the tax valuation for a cemetery on private property to \$1/acre but that the process included the need for a professional survey and that this was often cost prohibitive to the landowner. Co-chair Petit found information that Michigan repealed their law but there was no documented reasoning

behind the repeal. Finally, Co-chair Petit introduced information from Washington State concerning their law permitting non-profit preservation and maintenance corporations. The task force concluded that their recommendation should include information concerning the availability of numerous options that could help address the topic of historic cemeteries on private property.

III. New Business

Co-chair Noonan brought the task force into new business and discussion began on the limited time left for the task force to complete their final report. A final review was made of the report draft provided to the task force members; including whether there were any topics discussed by the task force but not included in the current draft.

The task force then deliberated on the distribution of the final report upon completion. Mr. George moved that a hard copy of the report be provided to the Governor, the Speaker of the House and the President of the Senate with an electronic version of the report being sent to the rest of the General Assembly. Mr. Turner seconded the motion. The motion passed unanimously.

Upon discussion of the next meeting date the task force agreed to meet on September 19th at 10:00am. However, both co-chairs were unavailable on that day. Mr. Piccininni moved to designate a chair pro-tempore for the September 19th meeting. Mr. Turner seconded the motion. The motion passed unanimously.

Mr. Turner nominated Mr. Piccininni as chair pro-tempore for the September 19th task force meeting. Co-chair Petit seconded the motion. Mr. Piccininni accepted the nomination. The motion passed unanimously.

The sub-committee asked that any ideas or corrections to the draft report be submitted by the task force members by September 1st and that anything submitted be related to discussions already held in order to help keep the drafting process moving in a timely manner. After those revisions, the target for a final draft being sent to the task force members is September 12th.

Next Meeting Dates:

September 19th at 10:00 am

IV. Adjournment

Mr. Turner moved to adjourn. Mr. Russell seconded the motion. The motion passed unanimously.