

~~Unapproved~~ **APPROVED**
Cemetery Trustee's Public Meeting Minutes
Monday June 23, 2014

Attendance: Trustee Chair Richard Snow, Trustee Carleton Robie, Trustee Amanda Soares (via Skype, Trustee Dave DePuy, Trustee Boyd Chivers, and Administrative Assistant Andria Hansen.

Trustee Snow called meeting to order at 9:00 p.m.

Regular Business

1. **Proof of posting.** Trustee Snow noted that he posted the agenda.
2. **Review and acceptance of minutes of the previous meeting (4/14/14).** Selectman Soares motioned to accept the April 14th, 2014 Cemetery Trustees meeting minutes as written. Seconded by Trustee Robie. All were in favor. Motion carried.

Old Business

3. **Discussion of creating vouchers for reimbursement of perpetual care.** Trustee Snow said this is a task by statute that the Trustees are supposed to do. They haven't been working on it and he wanted to know what the status was. Trustee Robie thought they should stop telling people to buy perpetual care, if were just putting money in the bank for them. We don't spend the perpetual care. Trustee Chivers asked if he doesn't buy perpetual care for him and his wife can they still be buried in the cemetery. Trustee Snow said they wouldn't get the deed without buying perpetual care. You won't have the property. Trustee Soares said the people can still buy perpetual care, but it will go into a fund that goes to the maintenance of the entire cemetery. Trustee Snow said that is one of the possibilities. The town could establish that perpetual care goes to a general perpetual care fund. That doesn't change the fact that you have all of those individual perpetual care funds that exist. You cannot change the existing perpetual care funds. Trustee Soares said obviously you can't change them, but do with each individual person having their own perpetual care fund. You can't do anything with the money and it can only go to that plot. They should have a generalized fund. Trustee Snow said the purpose of the perpetual care fund is to prevent the town from having to spend any taxpayer dollars to maintain the cemetery. They could sell its lots with a general perpetual care fund. The concept of the individual perpetual care funds comes from the fact when they started burying people in family plots and the families took care of the plots. Then they said I don't trust my family so I'll put money in a fund to make sure it gets done in perpetuity. This is why it's the individual ones. Some people gave more than others and they didn't want their money going to their neighbor's graves. Trustee Robie said when Russ Seward was taking care of the cemeteries he did on perpetual care funds. All the money they gave to Russ was from perpetual care interest fund. The town didn't have budget for the cemeteries. The Trustees wrote them a check for perpetual care to take care of the cemeteries. Trustee Snow said that was exactly the way it

worked, however that is not in concordance with statute. Trustee Robie agreed that maybe it wasn't, but it worked. Trustee Snow said it worked because there were significant amounts of interest coming out of perpetual care and Russ Seward was able to do it for \$8,000. Then the earnings on the perpetual care funds went down to \$3,000 and Russ said he couldn't do it anymore because he was getting too old. He brought the checkbook back to town and the Selectmen spent it. Trustee Robie replied then we opened an operating budget through the Selectmen's Office and never tapped into the perpetual care funds again. Trustee Snow said that wasn't true either. Trustee Robie said this has been what they've been doing since he's been around. They will figure this out. They are going to have some Trustees next election. Trustee Snow said he will be running for a Cemetery Trustee position, because he is not running for Selectmen. Trustee Soares thought they should make it so a person can buy a cemetery plot and not have to pay for perpetual care and still get your deed. Trustee Robie said you can do that now and if you want perpetual care you can pay another \$200. Trustee Chivers asked what perpetual care got them. Trustee Robie said nothing because we don't use the money. Road Agent Lewis noted it is going to be mowed anyway. Trustee Robie said he has been telling the Board this for six years and they can't get through it. Trustee Chivers said the Trustees generate some money every year. Trustee Robie said they were trying to do a percentage thing. Trustee Chivers said what if they count the number of graves and the number of people who pay perpetual care and get the ratio. Trustee DePuy said that Jerry Becker is working on this and it's not as simple as you may think. You buy a plot and a plot might have two grave or as many as sixteen graves. Doing the math to figure out the perpetual care and the perpetual care is \$200 whether you have two graves or sixteen graves. So Jerry is going back in history to figure which graves have perpetual care and he asked him to find out the average number of graves per lot. They could develop a fraction and multiply the fraction by the funds and take that interest. Trustee Robie said if the Trustees of the Trust Funds weren't manipulated by an outside source they would just give us the money. It shouldn't be rocket science for \$6,000 - \$8,000. It's just the principal of it they are collecting people's money and putting it in the bank for them. Trustee Chivers asked if they could argue that they are entitled to all of the accrued interest every year. Trustee Robie said they could argue that but it revolves and goes into the general fund. He noted they should look at the funds; they have millions of dollars they aren't using. Trustee Snow said they don't have millions of dollars and the funds are set up the way they are because that's the way statutes are written. He keeps giving the Board the stuff that he gets from the Attorney General. Trustee DePuy said there is a statute that's says they can't take all of the interest. Trustee Snow said because it was a contract between a person and the town and when they accept the perpetual care funds. Trustee DePuy said they could do new deeds saying that perpetual care will be for the whole cemetery, so they can take the interest and from here on they can do that. Trustee Robie said they have \$180,000 in there now that is sitting collecting interest. Trustee Chivers asked what kind of earnings they are getting out of \$180,000. Trustee Robie thought it was \$9,000 last year. Trustee Soares said why don't they have a generalized perpetual care and do away with individualized perpetual care. Maybe Jim Lindsey could help Superintendent of Cemeteries Jerry Becker with this. They will hopefully get the reimbursement from the hodgepodge of mess. This will also alleviate any future problems. She knows that Chris is still selling deeds and they are still selling

perpetual care. People are still buying perpetual care. They should do away with individual perpetual care and create a generalized perpetual care. Trustee Snow said it is all part of a long process. They have to follow the policy and procedures. Trustee Soares replied it doesn't have to be a long process. They create a generalized fund and that's where all of the money goes from now on. If people want to buy perpetual care they can put it in the generalized fund. It is a simple process. Trustee Chivers asked about the contracts they already sold. Trustee Soares said they have to treat them as they are, they are individual perpetual care. She felt moving forward they need to make this very usable and simple. Trustee Robie said they only have eight more months of being Cemetery Trustees. Trustee Snow said at the December meeting he will ask the Cemetery Trustee's to appoint two members. Trustee Robie said they should wait until after elections to do that. This is something the new Trustees should talk about. This Board should work on getting the perpetual care funds switched over. They should let the Trustees of the Trust Fund know that annually they are going to give us a check (for the earnings). Trustee Snow said they would get it at the end of the year, because then it is anticipated revenue. It would be good if Trustee Snow could negotiate that. Trustee Chivers asked about the agenda item of creating vouchers for reimbursement of perpetual care. Trustee Snow said they discussed it and it is in process. Trustee Robie said this is something for the new Trustees to discuss. This will be their job. Trustee Soares asked if they created a generalized perpetual care fund could the Trustee's in turn give us the interest and we could put it in the general fund. Trustee Robie said they weren't giving it up that was the problem. Trustee Snow said it is part of the whole process that needs to happen. Trustee Soares asked would it be more accepting in another fund. Trustee DePuy explained if that was so all of the interest generated by those funds would be used to pay for the cemetery and they would approve it. Each plot is a separate trust fund just for itself that is the way it is set up now. Trustee Snow said if they are going to change anything it is going to be part of the policies and procedures. Our cost of the land is significantly lower than any other place. They need to discuss are they going to take the money that we use for the sale of the earth or are we going to put it in the general fund. How much are they going to charge \$200 or \$1,000? This will be part of the whole discussion of what the Cemetery Trustees want to do to properly maintain the cemeteries.

New Business

- 4. Discussion of Winter Cemetery access and vehicular traffic.** Trustee Snow said he was approached two or three days ago by a living relative of an existing grave/plot. She was concerned because there were tire tracks running across her dearly departed's grave. She believed it was there because of the plowing that was done in the winter time. He spoke with the Road Agent and he plows the main road from the entrance of Holbrook all the way down past where they are burying people. He puts in a turn around for a family who would be able to get to their departed sons grave site. The Road Agent also told them last year there were half a dozen incidents where he had to drive up into the cemetery and get people out. His suggestion is that some people were driving over graves up there and they didn't know where the road was because it wasn't plowed. In the past it has been the policy of the cemetery that they are closed on the first of December and opened on the first of April. The only plowing that was done was from

the gate of Holbrook to the tomb. His question is do they want to approach the individual who the Selectmen told they would plow out to their son's grave. Do we continue doing it or just plow to the tomb. His understanding is that Road Agent and the Selectmen are responsible for all roads including internal roads. Does the Cemetery Trustees request from the Board of Selectmen that they don't want to plow that road anymore? They want to leave it closed in the winter time. Trustee Chivers asked if they were doing for just one family. Trustee Snow said yes and it was before his time. Trustee Chivers asked why they don't stop doing it. Road Agent Lewis noted they used to always close the gate and he would keep the tomb plowed and shoveled out to maybe 30 feet beyond the tomb. Then a resident had a son pass away and came to a Selectmen's meeting and asked to keep it plowed, so they could go out there. It is at the far end way up. They agreed that he would plow the center road just straight and turn around and come back. He is the only one that plows it, because he is the only one that knows where it is. No one has ever plowed on a grave. What happened is last year and the year before a lot of people would go up there and get stuck. They would try to drive out to another grave or somewhere else. They would call him and he would have to pull them out. He knows happened at least eight times this winter alone. He didn't think they should be keeping it open. The circumstances surrounding the first year were unusual and he agreed it wouldn't be that big a deal. It used to be if they had a mild winter the gates closed. The first time it snowed the gates closed; past Superintendents closed the gates with the first snow. If you wanted to go in you walked. Trustee Robie said he would talk to the family. Road Agent Lewis said he didn't see them at all this winter. He said the problem other people expect him to plow it. Trustee Robie said they don't need to be plowing the cemetery. Trustee Snow said personally he didn't want the Road Agent plowing the cemeteries. He brought this up to the Trustees; because he wants them to think about it until the meeting in December, so then they can make a decision that they are not going to plow the cemeteries. They will talk to the individual and find out if it is acceptable to him. If it isn't then he can come to a non public meeting and the Selectmen can talk to him about it. Trustee DePuy thought they could close it for the winter or put limitations on it. Trustee said it isn't acceptable with 3 feet of snow up there.

Trustee DePuy motioned to adjourn 9:21 p.m. Seconded by Trustee Snow.