

MINUTES OF SPECIAL MEETING  
LOUISIANA CEMETERY BOARD  
SEPTEMBER 15, 2023

A Special Meeting of the Louisiana Cemetery Board was held on September 15, 2023, at 3445 North Causeway Blvd., Suite 509, Metairie, Louisiana pursuant to Notice.

Chairman Melancon called the meeting to order at 9:00 a.m.

**Present were:**

Gerald Melancon, Chairman  
Marilyn Leufroy, Vice Chairman  
Michele M. (Shelly) Holloway, Secretary/Treasurer  
Stacey Patin, Board Member  
F. Anton Wilbert, Board Member  
Sherri Sison Peppo, Board Member  
Carol W. Suggs, At Large Board Member  
Jerry W. Sullivan, Director  
Ryan M. Seidemann, Ph.D., RPA, Asst Attorney General  
Conlee S. Whitely, Special Counsel to the Board

**Also present at the meeting:**

Boyd D. Moth, Jr. , Westlawn Cemeteries, LLC, Gretna, Louisiana  
Daniel A. Ranson, Guidry Ranson Higgins and Gremillion, LLC, Gretna, Louisiana  
Jimmy Patin, Greenwood Memorial Park, Pineville, Louisiana  
Debbie Holmes, Argent Trust

**Public Comment**

Boyd Mothe, Jr. addressed the Board during the public comment period and reviewed his thoughts as to the 2023 amendments to Title 8 that had been passed by the Louisiana legislature earlier in the year. He further requested a delay in the Board's consideration of any amendments to Policies and Procedures which were set for discussion on the agenda until such time as the Louisiana Cemetery Association and the Board could meet to discuss any proposed changes.

**New Business**

**Section 6 – Informal Proceedings**

The Director reviewed revised proposed Policies and Procedures as to how the Board would conduct a portion of its business. More particularly, Section 6 involving Informal Proceedings of the Board.

Mr. Mothe and Mr. Ranson both addressed the Board requesting delays in approval of the proposed Policies and Procedures as they believed there were inconsistencies in the Policies and Procedures as drafted and the 2023 amendments to Title 8.

Following a review of the section in detail and at the conclusion of all public comment, Ms. Suggs moved that the amendments to Section 6 of the Policies and Procedures be approved, which Motion was seconded by Ms. Peppo, and the matter passed by unanimous consent.

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### **Section 6(A) – Administrative Hearings**

The Director reviewed proposed changes to the Policies and Procedures, more particularly, Section 6(A), with regard to Administrative Hearings. During the public comment, Mr. Mothe again requested a delay in approval of the proposed changes to Policies and Procedures.

Following a review, Ms. Peppo moved that the Policies and Procedures be approved, which Motion was seconded by Ms. Suggs, and the matter passed by unanimous consent.

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### **Section 7 – Applications for Certificates and Licenses**

Following the Director's explanation of proposed changes as to the manner in which licenses and certificates would be approved, there was no public comment. Ms. Holloway moved that the amendments to Section 7 of the Policies and Procedures be approved, which motion was seconded by Ms. Suggs, and the matter passed by unanimous consent.

### **Amendment to Forms**

Following approval of all proposed amended Policies and Procedures, the Board reviewed a number of proposed amendments to the forms to be used by cemeteries and trustees in light of the 2023 amendments.

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### **Instructions and Application to Convert to a Total Return Distribution Method**

The Director reviewed proposed Instructions and Application to convert a Total Return Distribution Method. During the public comment, Debbie Holmes and Boyd Mothe made public comment regarding the Total Return Trustee Form. Following public comment and a review by the Board, it was determined that item 2(g) would be removed pending further study by the Board and in consultation with Argent Bank and other trust institutions with regard to the fees to be charged by the Association. Ms. Leufroy moved that the new Policies and Procedures be approved, which motion was seconded by Ms. Holloway, and the matter passed by unanimous consent.

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### **Amended Model Trust Agreement authorizing Total Return Distribution Method**

The Director reviewed a proposed Amended Model Trust Agreement authorizing a Total Return Distribution Method. During the public comment, Both Debbie Holmes and Boyd Mothe made public comment. Ms. Patin moved that Amended Model Trust Agreement authorizing Total Return Distribution Method be approved, which motion was seconded by Ms. Suggs, and the matter passed by unanimous consent.

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### **Amended Act of Dedication authorizing the burial of pet remains**

The Director reviewed proposed changes to the Act of Dedication authorizing the burial of pet remains. During the public comment, Boyd Mothe made public comment. Ms. Leufroy moved that the amended act of dedication be approved, which motion was seconded by Ms. Holloway, and the matter passed by unanimous consent.

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### **Amended Instructions, Application, and Participants Schedules for Master Trust Funds**

The Director reviewed proposed Instructions and Application, and Participants Schedules for Master Trust Funds. There was no public comment. Ms. Patin moved that the amendment be approved, which motion was seconded by Ms. Holloway, and the matter passed by unanimous consent.

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### **Amended Instruction and Report of Trustee and Report of Cemetery Authority for Total Return Distribution Method**

The Director reviewed proposed Amended Instruction and Report of Cemetery Authority for Total Return Distribution. Boyd Mothe made public comment. Ms. Patin moved to defer the decision with regard to the instructions and amended total return distribution method, which motion was seconded by Ms. Suggs, and there was unanimous decision by the Board to defer the reporting form until a subsequent meeting.

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### **Preliminary Case Summary for Investigations Committee**

The Director reviewed a Proposed Preliminary Case Summary for investigations committee. There was no public comment. Ms. Leufroy moved that the Preliminary Case Summary for Investigations Committee be approved, which motion was seconded by Mr. Wilbert, and the matter passed by unanimous consent.



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## **Approval of Applications for Certificate of Authority**

### **Exempts (New):**

The Director reviewed completed Applications and recommended approval of the same by the Board. There was no public comment. Mr. Wilbert moved for approval of the following Applications, which motion was seconded by Ms. Suggs, and the matter passed by unanimous consent:

**Somers Family Burial Ground  
First Methodist Church of Shreveport  
Poche Family Cemetery  
Barbo Family Cemetery  
Colquitt Baptist Church**

### **Non-Exempt (New):**

**Audubon Memorial Gardens, LLC**

The Director reviewed the completed Application for Certificate of Authority and recommended approval of the same by the Board. There was no public comment. Ms. Leufroy moved for approval of the Application, which motion was seconded by Ms. Suggs, and the matter passed by unanimous consent.

**Serenity Memorial Garden**

The Director reviewed the completed Application for Certificate of Authority and recommended approval of the same by the Board. There was no public comment. Ms. Leufroy moved for approval of the Application, which motion was seconded by Ms. Suggs and the matter passed by unanimous consent with the exception of Chairman Melancon, who abstained.

### **New Business:**

**Request for Refund of Overpayment to Merchandise Trust from Greenwood Memorial Cemetery**

A request was made by Greenwood Memorial Cemetery to permit the refund of an overpayment in its Merchandise Trust totaling \$10,874.04. Sufficient proof was provided and the Director has recommended approval of the issuance of a refund in the amount of \$10,874.04, from the Merchandise Trust Fund. There was no public comment. Ms. Leufroy moved for approval of the Application, which motion was seconded by Ms. Holloway and the matter passed by unanimous consent, with the exception of Ms. Patin, who abstained.

**Temporary Employee**

A Motion was made to retain the services of a temporary employee while the Assistant Director is unavailable with an annual salary of up to \$50,000.00 for a period not to exceed thirty-one (31) weeks.

**Executive Session**

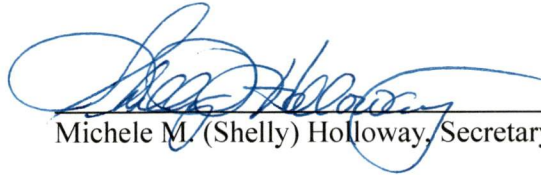
Ms. Leufroy made a motion to go into Executive Session to discuss litigation. The motion was seconded by Ms. Suggs and a roll call vote was taken. Mr. Melancon – yea; Ms. Suggs – yea; Ms. Leufroy – yea; Ms. Holloway – yea; Ms. Patin – yea; Mr. Wilbert – yea; Ms. Peppo – yea.

**Following Executive Session and Returning Therefrom**

**Appointment of the Investigative Committee:**

Two (2) members of the Board, Ms. Peppo and Ms. Suggs, have volunteered for the Investigative Committee. After discussion, it was moved by F. Anton Wilbert and seconded by Stacey Patin that Ms. Peppo and Ms. Suggs would become the first members of the Investigative Committee to work with the Board staff in all investigations. Following discussion, the matter was approved unanimously.

**Since there was no further business,** Ms. Leufroy made a motion to adjourn and was seconded by Ms. Suggs and unanimously approved.



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Michele M. (Shelly) Holloway, Secretary/Treasurer

Attested To:



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Gerald W. Melancon, Chairman