

Arkansas Burial Association Board
Board Meeting Minutes via Teleconference
Wednesday, July 22, 2015 – 11:00 a.m.
101 East Capitol
Little Rock, AR

Chairman Steve Ballard called the meeting to order. Members present were: Haylee Harris- Hill, Vice Chair, Normal Gilchrest, Scott Berna, Janet McDonald, Chuck Dearman, Sammie "Turner" James, and R. W. Ocker. Members absent were Barbara Hovarter. Staff that were present: Amy Goode, Executive Secretary, Nina Carter, Board Counsel, and Meredith Rebsaman, Deputy Attorney General. Members of Drew County Burial Association and their counsel Jackie B. Harris were also present on the call.

1. **Call to Order and roll call by the Executive Secretary.**
2. **Administrative**
 - a. **Approval of minutes of the April 22, 2015 Board meeting.** Motion made by Gilchrest to approve the minutes of the April 22, 2015 as delivered electronically, seconded by Berna, all in favor. Motion carried.
 - b. **Approval of April -June 2015 Trial Balance and DF&A Financial documents.** Motion made by Dearman to approve the April through June 2015 trial balance and DF&A financial documents as delivered electronically, seconded by Ocker, all in favor. Motion carried.
3. **Board Discussion**
 - a. **Attorney General Formal Opinion 2015-070 review concerning dissolution.** The Board requested the steps that were required to allow for a legal dissolution. It depends on whether it's incorporated or falls under the non-profit corporation act. This opinion essentially states that the authority to approve or deny dissolution is not under the authority of the Arkansas Burial Association Board. The dissolution process would fall under existing statutes it would be with the Secretary of State filings for corporations. The opinion stated that no Arkansas law gave the Board any clear role in the dissolution process. The two key things from this opinion is the difference in dissolution and distribution. There is legislative clarification warranted, because the law is unclear on the distribution as well. The Board's enabling statute with the exclusivity language has the power to promulgate rules that would address the situation.
 - i. **Drew County Burial continued discussion.** Board Member Chuck Dearman recused himself from any discussion concerning Drew County Burial Association. Mr. Harris's recommendation is that the Board set aside the December 18, 2014 Emergency Order and the Findings of Fact, Conclusions of Law and Order issued February 12, 2015 since the opinion given is the Board has no authority in the dissolution and/or distribution. In addition the order be sent to the bank today. Motion made by McDonald to accept recommendation by Attorney Jackie Harris and the Drew County Burial Association, seconded by Gilchrest, motion carried four-two with one member recusing. Chairman Ballard did not have to vote.
4. **Old Business**
 - a. **Church Burial Association Request by Shannon Strickland**– Motion made by Berna to table request until October 28, 2015 and the June 2015 report being received with no errors, seconded by Gilchrest, all in favor. Motion carried.
 - b. **Hammons Burial Association** –Update from the Executive Secretary that Mr. Hammons has complied with the Board's request.
5. **New Business – Nina Carter**
 - a. **Petition for Review – Drew County Burial Association** – The Board had received a petition for review from the February 2015 order. Since the issue has been resolved the petition will be dismissed.

6. **Twenty-Four (24) Month Claim**

- a. **Smith Burial Association – Stamps, AR** – Motion made by Harris-Hill to approve the twenty-four (24) month claim on Amoleta Fitzgerald, seconded by Dearman, all in favor. Motion carried.

7. **Next meeting**

- a. **October 28, 2015 – 11:00AM**
- b. **December 7, 2015 – Club of Burial Association Meeting – 10:30AM**
- c. **December 7, 2015 - Regular meeting – 11:00AM**

8. **Adjournment**

Motion made by Berna to adjourn the teleconference meeting, seconded by Gilchrest, all in favor. Motion carried.

ATTEST:

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