

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

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

**April 4, 2014
9:30 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, Dr. John N. Low, Hon. Cory Noonan, Anne M. Petit, Jay Russell, James Turner, James Wright, Division Staff Attorney Laura Monick.

Excused: Daniel Applegate, David Snyder, Patrick Piccininni

Review of Meeting Minutes: Co-chair Petit opened the floor for discussion of the minutes of the March 7, 2014 meeting of the Ohio Cemetery Law Task Force. It was noted that Dr. Low should be marked as excused.

Mr. Turner moved to approve the minutes of the March 7th meeting with the noted revision. Mr. Russell seconded the motion. The motion passed unanimously.

II. Old Business

Co-chair Petit opened the floor for discussion of old business. Co-chair Petit noted that based on the list provided by Dr. Low, twenty-three letters were sent inviting tribal leaders to attend the April 28, 2014 meeting or to provide written testimony. The ORC Chapter 517 draft language was received from the Ohio Township Association. In addition, an email from Gini Chandler, Wayne Twp. Trustee from Jefferson Co., OH was read into the record.

III. New Business

Stephen George arrived during discussion of new business.

Co-chair Noonan brought the task force into new business. Discussion commenced on the task force coming to a consensus on the topics that need to be addressed in any final recommendations made by the task force. In addition, the members acknowledged that there may be other topics where there is not a consensus but those topics may be issues that should be included in a separate section of the final recommendations so as to bring them to the attention of the legislature, should that body determine that any require further consideration or reexamination.

The task force then began a mapping exercise with open discussion on possible major topics, sub-topics and how to approach the sub-topics.

Main topics for discussion during mapping exercise:

1. Enforcement
2. Statutory Alignment

3. Registration
 - a. Cemetery vs. per burial
 - b. Issue of unmarked graves
4. Technology
5. Record Keeping
 - a. Importance of record keeping for cemeteries
 - b. Issue of no existing records due to issues such as flooding, fires, etc.
6. Maintenance
7. Definitions
 - a. Inactive
 - b. Abandoned
 - c. Natural Burial
 - d. Human Remains
 - To be considered:
 - i. Not limited by the passage of time
 - ii. Whether it needs to be a limited definition for certain sections of ORC
 - iii. Is it different for protected groups? Further research needed – see Indiana’s two definitions
 - e. Burial Site/Grounds – Further research needed – see Indiana
 - To be considered:
 - i. cremation
 - ii. degree of intentionality
 - iii. green cemeteries
 - f. Historically Significant vs. Archeological Site; Burial vs. Native American remains; Funerary Objects/Artifacts
 - g. Preservation
 - h. Protection
 - i. Restoration
 - j. Maintenance
8. Funding – One of the highest priorities
 - a. sources for funding
 - b. set standards for appropriations and equitable distribution
 - c. account for the spending
 - d. Provide townships funding to allow for selling merchandise

After initial discussion it was determined that the task force would save final discussion on funding for last so they would know which identified topics would need funding.

9. Protected Groups

- a. Is there a need to separate out American Indian protection/registration?
- b. Further research into OHS' historic preservation office and any currently available state, federal, private funding.
- c. Promoting collaborations with Native American groups and making it easier to work together.
- d. Further research into discovery/notification requirements when grave sites are found; similar to IN
- e. Discussion on a Native American Commission similar to IN to address future disposition/re-internment of remains and standards for re-internment

10. Preservation/Protection

- a. What does each mean and do the topics need to be separated out?
- b. Protection for burial artifacts and remains from antiquities/black market trades.
- c. Discussion commenced on different models such as a State trusteeship, land bank model, permitting cemeteries to return all or a portion of their grounds back to nature
- d. Can the differences be bridged with funding instead of using discussed models?
- e. Discussion on how canal property is handled (ODNR)

Final discussion centered on the next steps of the task force. It was determined that prior to discussing other topics, the task force needs to focus on solidifying definitions for the identified terms. Before the next meeting the task force requested that research be completed with respect to other jurisdictions' definitions in order to assist them in their discussion on April 28, 2014. Mr. Russell offered to assist the Division with that research.

Next Meeting Dates:

April 28, 2014 at 9:30am

May 16, 2014 at 9:30am

James Turner left at 1:00pm after the next meeting dates were set.

IV. Adjournment

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