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Entire cemetery board quits in protest

Written by Ben Marrone Friday, 12 September 2008



Ben Marrone/Sun Post

RESIGNATION: Former East Union Cemetery president Carlon Perry explains the board's decision to quit at a press conference on Thursday, Sept. 11, at the historic cemetery.

MANTECA — The entire East Union Cemetery board has quit in protest over what they claim has been a lack of cooperation by state regulators who have been investigating the cemetery for more than a year.

Eleven new board members — part of a group that took over leadership of the non-profit East Union Cemetery Association on June 27 in an attempt to stave off its demise — decided to resign en masse at an emergency meeting on Wednesday, Sept. 10. The sole remaining board member, Leon Sucht, was on vacation this week.

At a press conference at the cemetery on Thursday, Sept. 11, former Board President Carlon Perry said the board was forced to abandon the cemetery because members lacked liability insurance and would be held personally responsible for anyone who was injured while visiting the grave of a loved one.

Perry blamed regulators with the California Cemetery and Funeral Bureau for the latest problems to confront the city's historic cemetery during his speech at the 11 a.m. public meeting, which was attended by about 100 people.

He said the state had failed to respond quickly enough to help the new board and were now proposing restrictions on the cemetery that would make it impossible to do business.

"Basically what we would be is a glorified volunteer group that the State of California would control and dictate how (money) could be spent here," Perry said. "And we know the State of California and how they handle a budget."

On Sept. 9, board members received a long-awaited offer from Cemetery and Funeral Bureau Chief Rick Wallinder that could allow the cemetery to re-open if the board agreed to certain conditions.

But Perry said the agreement would again put the board members in a dangerous position.

"The things that they've written about — the spending of money, the past board's spending of money, the endowment fund — we, the board, will be responsible for returning that money," Perry said Thursday. "We can't be responsible for what someone else has done, and

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we're just a group of citizens here that are trying to save our cemetery."

Responding to the press conference on Thursday, Wallinder described the conditional agreement as "pretty standard legal language" that was not meant as a threat to the board.

"It doesn't say that they personally ... messed up," he said. "What we're saying is the East Union Cemetery Association messed up in the past and that's what they need to 'fess up to."

Wallinder admitted that it had taken longer than everyone expected to get the conditions back to the board, but blamed the long line of state attorneys that had to sign off on the agreement before it was sent.

He also said the state had expected to keep working with the East Union Cemetery Board, and was surprised by their decision to resign.

"We were doing our best to work with them," Wallinder said. "Now they've gone ahead and just decided to abandon the cemetery. I'm very disappointed that they've made that decision."

So far, no one has figured out what will happen next.

Perry said he planned to hand over the keys to the cemetery at Thursday's press conference, but no one from the state showed up to accept them.

Wallinder said the Cemetery and Funeral Bureau was not going to run the cemetery in the board's place.

"We are not going to take the keys to the cemetery," Wallinder said. "We are not in that business."

He said the Cemetery Bureau has never dealt with a mass resignation and that he would "have to do some research" to see what the board's resignation means — or if it is even legal.

At the press conference, several citizens pressed Perry about what the move would mean for the future of the cemetery.

Florence Bennett asked what would happen to people like her, who had already paid for gravesites and burials.

"You all quit, so who's going to dig the holes?" Bennett said.

"The state took everything out of our hands," Perry responded. "This board has done everything they possibly can to keep the cemetery open and the State of California has done everything to keep us from doing that."

Another audience member, Lil Putman, told Perry the board members who were serving when the state began its investigation should be called on the carpet.


"It was the past board members who screwed up this whole thing ... (and) you guys are paying for it," Putman said. "I think the past board members should be questioned and prosecuted."


Several board members also announced that they would continue to work for the cemetery even after they had resigned.

"We're not quitting," former board secretary Sharmaine Mendes said. "We resigned because of the liability and only because of the liability. We're not giving up the fight."


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written by [EJ Parra](#), September 12, 2008 
Isn't it just like Carlon Perry to come in, crap all over everything, blame someone else for the situation, screw things up by not following the requirements for trust accounting, and then saying someone else caused it? He's become a caricature of himself. This time someone should call the D.A.

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written by [gator](#), September 13, 2008 
Comment:
I respect everyones opinion Mr. Parra. But I think your hammering the wrong man in this case. There is no funding in place for insuring visitors who visit the Cemetary. This means everyone on the committee would be liable for injury suits levied againt them. Mr. Perry in an earlier statement, said he had to protect his three million dollar business. My question to you Mr. Parra, if you were on the committee, would you risk your retirement fund and home ? If the committee elected to keep this cemetary open, chances are, the state would starve the committee for funding, by constant delays in payments. Mr. Perry and his staff, addressed a long pending debt that needed paying. Then the state closed them down

for going against the state, in paying this debt off. Mr. Perry didn't have to step into this position, for he received nothing in compensation. His goal was to save this Historic pioneer cemetery. I certainly didn't see any other person stepping up to the plate. I will damn sure step up to the plate to defend this man. You would only know what transpired, if you were on the committee yourself. I will never challenge anyone's right to express himself openly, but make sure you have the facts in place, when you challenge some one. I learned to have the facts early in writing.
Have a good one Mr. Parra and keep writing.
Gator.

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written by [EJ Parra](#) , September 13, 2008 
Thank you for your opinion, Gator. The trust fund was a maintenance trust fund. The State told the board this. They, under Mr. Perry's leadership, then decided to spend it on the debt anyway. The original Board made a mistake by using the Trust fund as collateral for the loans, but the new Board made a conscious decision to go against what the state had told them and break the law. This definitely should be looked at by the County Grand Jury, and probably by the D.A. If they had operated under the State's procedure, they would more than likely have liability protection. As far as my personal assets, they really aren't worth much in the current economy, so I probably would have risked them, but I do understand protecting one's assets. In this case, that may have been said, but the facts don't support Mr. Perry's comments.

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written by [EJ Parra](#) , September 13, 2008 
One other thing Gator, I question your opinion of Mr. Perry's intentions. I think he may have tried to use the unfortunate circumstance of the Cemetery to "get his name out there" as he is currently running for a seat on the South San Joaquin Irrigation District (SSJID) Board, and if he is prone to this kind of grandstanding and decision making I would not like to see him on that Board. I know he was a Mayor, but at this time I don't have the facts to determine how effective a leader he may have been. I do know that he was voted out of office after only one term in office, if that is any indication.

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written by [gator](#) , September 14, 2008 
Comment:
Opinions vary mr. Parra in any situation. Perhaps some past distrust in this man has focused in his political reign in Manteca. My residence doesn't go back that far. But I might leave you with this thought. Would it help a man's chances of obtaining a seat on any board, if he quickly resigned from an organization he held for only a short period of time?
I also think the board members had to think about what was at stake, without the possibility of liability insurance. Have a good day Mr. Parra
and keep writing, for it is still one of the things we are free to do.
Gator.

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