



## **FV Cemetery Company Inc. Transfer and Transition Plans**

### **Frequently Asked Questions**

#### **Question 1: Are the cemeteries closing?**

**Answer 1:** No, FV Cemetery Company Inc. ("FV Cemetery") is taking steps to transition ownership and management responsibilities to the City of Roanoke ("the City"). The cemeteries will continue to operate as normal through June 30, 2023, at which time the new owner will take over all management and operations.

This transition plan was set in place as required by FV Cemetery's Articles of Incorporation filed with the State Corporation Commission in 1983. This process also follows established procedures for cemetery management transfers in the Commonwealth of Virginia. Publicly owned and managed cemeteries are common throughout the state and can be found in nearby surrounding communities of Blacksburg, Christiansburg, Salem, Rocky Mount, Lexington, Lynchburg, and Danville.

#### **Question 2: If things don't go well, could the properties be abandoned?**

**Answer 2:** The FV Cemetery Board is doing everything it can to avoid this possibility. At this moment, there are two possible paths forward. The preferred path is for the City to vote to accept responsibility for both properties and continue to manage them using the \$3M+ in reserves along with the revenue generated by the cemetery operation to maintain these important local properties.

The second, and less ideal option, is for FV Cemetery to surrender its cemetery licenses to the Department of Professional and Occupational Regulation "DPOR". The State's Cemetery Board would then file a petition with a Virginia Circuit Court informing the Court that such licenses have been surrendered. The Circuit Court would probably appoint a receiver to manage the properties. Presumably, the receiver would look for a successor. If a receiver is appointed, the expenses of such receivership and a

reasonable fee, shall be paid from FV Cemetery's assets, including its Perpetual Care Funds. Because a national search for a suitable successor has already been underway for approximately 15 years and has been unsuccessful despite the involvement of several nationally acclaimed search agents, it is unlikely that a successor will be found. In this scenario, the receiver and expenses will be paid until, eventually, funds will run out, increasing the likelihood of possible property abandonment.

Should the properties be abandoned, the City will still be responsible for dealing with the fallout. Depression of surrounding property values could result. Several years from now, under this scenario, cemetery equipment will have aged, the properties may not have been properly maintained, and the City would have to look for solutions without the benefit of the more than \$3M in additional funds currently being offered to help ensure a smooth transition.

### **Question 3: Why is this happening now?**

**Answer 3:** The cemetery business has changed dramatically over the last 100 years. Government oversight of the industry has increased administrative burden and added costs for private sector operators. Additionally, changing burial preferences has made operating facilities such as these less profitable for private sector entities.

However, city governments are not required to meet the same administrative burdens as private companies. They also have the added benefit of being able to use the same equipment for multiple purposes thus making simple, but important, services, like mowing the grass, much more manageable and affordable.

The City of Roanoke has the Roanoke Valley's oldest and only nationally accredited parks and recreation program. As part of this program, the City already mows the grass for more than 70 parks, fields, and greenways using their renowned urban forestry and horticulture program.

The FV Cemetery Board has been deeply committed to the care, stewardship, and preservation of these properties for a very long time and are personally invested in achieving a positive outcome that "protects a future as proud as our past." In fact, most Board members have direct ties to multiple generations of family members who have been laid to rest in one of these locations. However, the Board is aging and in some cases, in declining health. The search for a successor has lasted approximately 15 years and unfortunately, no alternate or suitable option has been found, leaving no other path forward. This transfer of assets and operating responsibility is now the only remaining option that will ensure these important community assets are protected.

#### **Question 4: Is this situation unique to Roanoke and/or these two properties?**

**Answer 4:** No. Similar operating challenges and debates about public sector responsibility are playing out across the country including Virginia. Currently, the FV Cemetery Board is aware of at least 60 other municipally owned cemeteries in Virginia alone.

#### **Question 5: What happens to the Perpetual Care reserved for lots sold?**

**Answer 5:** Under the proposed plan, all assets, including the Perpetual Care Funds, will transfer to the City of Roanoke to support the future care of the Cemetery and Memorial Park. As of January 1, 2023, the approximate cash balance of all available funds was \$3,183,641.43. The final value of the assets transferred will be subject to final adjustments due to normal business activities between now and the final transfer date.

After transfer, these funds will become part of the public budget and be subject to standard public information access. However, at this time, no decision has been made about exactly where in the City budget these funds will be housed. Ultimately, that decision will be up to City management.

#### **Question 6: I already prepaid for a lot, what does all this mean for me and my family?**

**Answer 6:** Your ownership interest will not change. Your contract with the cemetery is a legal document. Your ownership interest in your prepaid lot will not change. Once the transfer is complete, the only adjustment you will see is that your point of contact will shift from FV Cemetery (which will no longer exist) to the new managing party.

Additional details will be made available to all lot holders as those decisions and assignments are made in the coming weeks. Please note that the new point of contact details may not be available until after July 1, 2023.

#### **Question 7: What happens to my preneed purchases for my burial vault and opening and closing?**

**Answer 7:** Similar to prepaid lots, preneed purchases are set aside for time of need. These arrangements should not be affected by changes in management.

## **Question 8: Who will be responsible for the care and maintenance of the cemeteries?**

**Answer 8:** Our intention is to transfer ownership to the City of Roanoke. The City has several options in terms of exactly where within their organization they want to place management responsibilities.

Over the coming weeks, the City can choose to set up a special division responsible for cemetery management, formally house these responsibilities within parks and recreation, public works, or another existing division with required resources and workforce skill sets on hand. Alternatively, the City can also set up a separate political subdivision to handle the cemetery management as an independent operation the way the City currently handles backbone broadband infrastructure, parking garages, airport, Civic Center, Conference Center, Roanoke Transit, and other similar public needs not well-suited to private sector investment.

## **Question 9: Where can I go to find updates about the cemeteries?**

**Answer 9:** To ensure the families, neighbors, and the public all have continuous access to accurate and timely information, we have set up a special interest page on the [thefairviewgroup.org](http://thefairviewgroup.org). You, or any interested party, can go to [thefairviewgroup.org/transition](http://thefairviewgroup.org/transition) to get updates on the process as it plays out or to provide your contact information to be emailed as new information becomes available.

## **Question 10: Can I still visit the cemetery?**

**Answer 10:** Of course! We will operate as usual through June 30, 2023, and do not have any reason to expect major operating changes after the transition. If all goes well with City Council's vote, we expect this entire process to be fairly seamless for the community. Our current hours are posted at [thefairviewgroup.org](http://thefairviewgroup.org) and are not expected to change between now and June 30, 2023.

## **Question 11: What will happen to my family members that are buried?**

**Answer 11:** We do not expect any significant changes to cemetery operations under the new management structure and have no reason to believe the grounds will be changed in any significant way.

These properties serve as the final resting place of more than 30,000 people and meet the needs of our community each and every day. There are grave sites here that date back to the war of 1812 and there is room to handle the traditional and cremation interment needs of our community for several more generations.

These properties also represent tremendous local history including 10 local Mayors, (2 from Big Lick, 8 from Roanoke) and thousands of veterans from 6 wars. The properties are also the final resting place of members of the Virginia General Assembly, United States Federal Judiciary, United States Congress (Clifton Woodrum and Elijah McClanahan) and many notable family names who helped build Roanoke.

The developed unsold lots and undeveloped land will provide a significant supply of burial spaces for future generations.

**Question 12: I purchased a memorial for a family member, will it be installed?**

**Answer 12:** Yes, provided it has been paid for and received by the cemetery. It is anticipated operations will continue as usual and will be managed by FV Cemetery Company Inc. through June 30, 2023. Once our case is fully made, we expect the public and City Council will support the transfer of these valuable and historic assets to the City. If that is the case, after June 30, operational responsibilities will simply transfer to the new City led team. We hope that most of the staff you see on property today will stay in place and simply continue serving our community under the new management structure, perhaps as City employees.

**Question 13: What will happen to my reservation to be buried next to my spouse?**

**Answer 13:** Your reservation is a legally binding contract. Responsibility for upholding the obligations detailed in it will be transferred to the new management organization.

**Question 14: How can I support the FV Cemetery in its effort to protect these properties?**

**Answer 14:** Thank you for asking. Your support is very important to us. While we have been talking to the City about this plan for some time, there are a few remaining steps that need to happen in order for the transfer to proceed as planned. Please refer to [thefairviewgroup.org/transition](http://thefairviewgroup.org/transition) for the most up to date information and support requests.

In the coming weeks, the Roanoke City Council will need to formally approve the transition. As is often the case, we expect that they may hear from naysayers concerned with cost, long-term obligations, and similar concerns.

It will be important for those who care about these properties and the history they represent to also speak out on behalf of the need to appropriately protect and care for Fair View Cemetery and Cedar Lawn Memorial Park.

If you would be willing to write a letter, attend the public hearing when scheduled, sign a petition, call members of City Council, or otherwise show your support for this transition we would be most grateful if you could let us know by completing the form at [thefairviewgroup.org/transition](http://thefairviewgroup.org/transition).

Additionally, if you provide your email address using that same form, we can continue to share up to date information, hearing dates, and other critical details as the process moves forward over the coming weeks.

**Question 15: What else do I need to know?**

**Answer 15:** FV Cemetery is fully committed to preserving the Fair View Cemetery and Cedar Lawn Memorial Park through this process, honoring its current purpose, its historic past, and its timeless community value.