

Virginia Division Sons of Confederate Veterans
Oakwood Restoration Committee Meeting
5 November 2011

This meeting was held at the Gander Mountain Meeting room in Ashland, VA. The meeting started at 10:13 AM. Meeting was run by ANV Cmdr. Frank Earnest and VA Division Cmdr. Michael Rose.

Topic: Discussion and resolution of issues facing the Committee.

A quorum existed.

In attendance were:

Sons of Confederate Veterans, Oakwood Restoration Committee:

Lee Hart III - Chairman, Joe Wright – Treasurer, Michael Pullen – Communications Officer, Tom Davis, Brag Bowling, Murrel Partlow, ANV Cmdr. Frank Earnest, VA Division Cmdr. Michael Rose, Virginia Division Parliamentarian John Sawyer.

Oakwood Restoration Committee Advisory Board:

Sandy Wright – Scribe purposes only.

When the meeting commenced, Tom Davis stood and read a statement about his efforts for the work at Oakwood Cemetery and his opinions about the meeting. He stated that Michael Pullen is in receipt of a copy of this statement. He then resigned from the Committee and left the room at 10:15 AM.

John Sawyer led the Committee in prayer.

ANV Cmdr. Frank Earnest (Frank) then took over the meeting. His first statement was to say that he was sorry that Tom Davis had left the meeting in this manner. He asked Lee to see if Tom would come back to hear what was said at the meeting. Lee was unable to accomplish this.

Frank asked the entire group if there was anyone in attendance that did NOT want the soldiers resting at Oakwood marked with head stones. No one present answered in the affirmative.

Frank indicated that more than one issue existed and all issues needed to be addressed

Brag stated his opinion that if Lee leaves the Committee then no Committee will exist as no other person can do what Lee does. Frank concurred with this statement.

Frank then proceeded with the points to be addressed at this meeting that he has received from various persons:

1. 500 – 1,000 graves exist in Oakwood with no markers at all.
 - a. Lee stated that the Veterans Administration (VA) position is, at this time, if an order for 100+/- stones is submitted, the order would be rejected due to Oakwood is on trial.

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- b. If Lee did receive anything at all from the VA, it would only be numbered markers such as the State of Virginia installed originally. VA has not done this except in cemeteries where all buried are unknown.
 - c. History – Sarah Amy Leach, VA Historian, is the determining factor with the stance that the original intent was only to place numbered markers.
 - d. Lee stated that a 17 – 19 page document of disagreement was sent to the VA on December 29, 2010. Joe asked if this document had been sent out to the Committee. The response was that this document had not been sent out to the entire Committee. Joe requested a copy of this document and that of the request for the hearing by the VA Board from Lee.
 - e. Joe read a statement that John Kindred had sent him and asked him to read for him. Content attached to these minutes. John is the only person who can put names to these lost men. This should be addressed either via phone call or email with John. Lee disputed John's statements that the Committee would not order head stones for the totally unmarked graves. Lee also said that the branches could be cut as well to determine the location of markers. Lee feels that this dispute is strictly a matter of miscommunication between John and him. The opinion is still that John will come back to the Committee if stones are received.
2. History of SCV Effort for Oakwood. Frank noted that the cooperation between the SCV and the City of Richmond has been increasing over time.
 3. Ground Penetrating Radar (gpr).
 - a. This has been requested to identify the specifics of the locations of the burials and an accurate placement of head stones.
 - b. Lee said he is all for doing this but that a source is needed. He doesn't have a source at this time.
 - c. Joe asked if someone on the Committee can undertake the search for a source for this technology. It was indicated that it does not need to be someone on the Committee or the Advisory Board.
 - d. Lee stated that he doesn't have time to communicate information to the Committee. It was pointed out that in accordance to the Committee's Governing Documents, a Vice Chairman could help out with tasks if Lee would appoint one.
 - e. Lee noted that placing the stone at the actual grave may never be possible since the actual grave site may never be determined but his intention is to place the stone as close as possible. He also stated that Steve Cormier had said that each Section may be placed differently. He used two other cemeteries as examples and would use 13 inch spacing between graves.
 - f. Frank's suggestion was to place pieces of 2 X 4 to indicate where each stone would be placed for the first 100 stones. Lee came up with a template to align placement of each dozen stones. He also stated that after you start placing stones, the proposed pattern must be followed.

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- g. Virginia Division Commander Mike Rose said that someone in his Camp had worked with gpr and he would look into this and get the information back to the Committee.
4. Gazebo – Status.
- a. Placement of this gazebo is in contention since it rests on 24 known graves.
 - i. Lee has contacted DHR and their determination is that if the gazebo is moved then it becomes an artifact not a monument. Lee read letter from DHR Board dated March 3, 2011 where they state their opposition to moving the location of this object.
 - ii. Joe stated that the OLMA wrote about their intention to move the speaker stand as they called it in February 1925. They intended to move it to be in line with the Soldiers Monument between Section A and Section B. He also noted that another possible location could be past Lt. Stafford's grave. This would need to be determined to have no graves through gpr.
 - iii. Frank talked about rebuilding it in the current location with plaques around the sides to honor those buried under it.
 - iv. Brag and Lee are very opposed to changing the size of this monument. With this opposition, the OLMA suggested location would not work.
 - v. It was determined that this is a onetime effort – either move it and rebuild or rebuild in place.
 - vi. Joe suggested that Lee contact Reds Barbour about who did his gpr work as gpr would be needed to determine the placement of the gazebo.
 - b. Brag brought up a new bid.
 - i. Lee has new estimate from ADDO, Inc. DBA Cornerstone Masonry, (2010 Chamberlayne Avenue, Richmond, VA 23222) to deconstruct and reconstruct, to historical specifications – historic concrete, substructure rebuild, and the speaker stand/gazebo.
 - 1. The bid is a turnkey bid under which all work indicated would be covered with no additional costs. This bid is \$39,500.
 - 2. They would donate \$4,500 of this cost for a total of \$35,000. The grant of \$10,000 would further reduce what the Committee would pay to \$25,000.
 - ii. Brag said that it is imperative that the Committee do something with the grant for the gazebo – either move forward or return the grant to the awarding Foundation which he doesn't recommend as he hopes to obtain more grants from them. He stated that the Foundation could at anytime request refund of this grant. At this time, the reason given to them by Lee was that the Committee has been dealing with DHR. Brag will contact the Foundation to ascertain their willingness for the Committee to use the grant on the Gazebo for purposes other than encapsulating the base and get this information back to the entire Committee.

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- iii. After much discussion, the Committee determined to go with ADDO and rebuild in current location.
 - iv. Lee noted that if gazebo is moved the price may go up.
 - c. **MOTION:** A motion was made by Mike Pullen with Murrel seconding: To award the contract to ADDO, Inc. to restore the gazebo for \$35,000 or less contingent on approval by the DEC. The vote carried with 6 ayes and 1 abstention.
 - d. **MOTION:** A motion was made by Brag with Murrel seconding: To keep the gazebo in the same location. The motion carried with 5 ayes and 2 opposed.
5. Website –
- a. Frank asked Mike Pullen if a vote on the cost of the proposed website had been taken. Mike responded that no mention of the cost was included in this first email vote after the July 7 meeting. The follow-up vote in October was positive for the website.
 - b. Lee stated he was unaware that the price was not disclosed to all Committee members.
 - c. John had indicated to Joe to refrain on making payments but now suggested a vote be taken and in the future no contracts be entered in to without a vote including the full price being stated in the vote. Frank feels this is only a misunderstanding between Committee members.
 - d. **MOTION:** A motion was made by Mike Pullen with Brag seconding: That Committee pay for website development of \$3,500. The motion carried with 6 ayes and 1 abstention.
 - e. **MOTION:** A motion was made by Mike Pullen with Murrel seconding: That the Committee pay up to a \$300 annual maintenance fee for the website. If the price of the maintenance contract changes, a new vote will be needed. The motion carried with 6 ayes and 1 abstention.
 - f. To avoid this problem in the future, even though stated in the Committee's Governing Documents, another motion was suggested.
 - g. **MOTION:** A motion was made by Mike Pullen with Mike Rose seconding: That any contract or project prior to the contract being signed or a project being started with a cost between \$1,000 and \$5,000 must be put to a vote by the entire Committee with the full cost being stated in the vote so called. The motion carried with 7 ayes and none opposed.
 - h. Lee agreed that ALL monies coming to Oakwood Restoration Committee should go to the Treasurer.
 - i. Joe is still concerned about the legal and taxation issues that the website may incur for the Committee and the Virginia Division. His questions about reporting were never answered.
6. Civil War Trails Marker –
- a. Cost for this marker is \$2,600.
 - b. The Committee must approve Bob Krick's wording for the marker. Lee has worked with Mitch Bowman on this and has the City's agreement as well.

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- c. **MOTION:** A motion was made by Mike Pullen with Joe seconding: That the Committee pay up to \$2,600 for the Civil War Trails Marker. The motion carried with 7 ayes and none opposed.
 - d. Mike Rose read the wording proposed for the marker.
 - i. Frank suggested that the Sons of Confederate Veterans be noted as being the organization that maintains the Cemetery.
 - ii. Lee and John Sawyer requested that term "Civil War" is replaced with the correct term "War Between The States".
 - iii. The Committee concurred that the two above changes be made.
 - iv. The final wording will be sent to the entire Committee.
7. Front Entrance –
- a. Lee has a proposal from ADDO, Inc. (recommended by Larry Miller, City of Richmond) to rebuild the front entrance gate (the one at Oakwood Avenue). Lee has gotten the City's agreement to this plan. The plan is to increase the width of the entrance at a cost of \$17,000
 - b. Lee has received a letter from Ann Anders (DHR) from Jeff Elliot of the Oakwood Trust that the Trust would release the funds in their keeping if this project is done.
 - c. Lee expects that the City would pay the bulk of the cost and that the Committee portion of the cost would be between \$5,000 and \$7,000. Mike Pullen reminded Lee that any cost over \$5,000 would need to go before the VA Division Executive Council for approval. The \$17,000 cost is a turnkey project cost that does not include the actual gates but all other costs.
 - d. **MOTION:** A motion was made by Joe Wright with Mike Pullen seconding: For the Committee to expend up to \$5,000 on the front entrance project pending the contract and the agreement with the City. The motion carried with 7 ayes and none opposed.
8. Resolution –
- a. Joe wants the Committee to create a resolution to thank Patrick McSweeney for his pro bono work in dealing with the Veterans Administration on behalf of the Committee. Lee said that he had no knowledge that Mr. McSweeney was doing this work pro bono.
 - b. Brag said that at the August Planning meeting held at his home, Patrick McSweeney indicated that the litigation cost with the VA would not be significant.
 - c. This resolution has been tabled until more information can be determined.
9. Head Stones –
- a. Lee has people calling him every day about the situation with the Head Stones and the Veterans Administration (VA).
 - b. Lee stated that if the hearing results in another denial then he wants to go the route of litigation.
 - c. His contact for stones has told him that if the Committee has to buy head stones in bulk a portion of the price will be donated back to the Committee. Currently

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- the price is \$450 for a single stone but in bulk the price would probably be less than \$200.
- d. Lee has received word from his contact, Mack Henderson, at the VA that he is no longer Lee's contact point. All communications will be through the DC Office. He was surprised that Lee had not heard anything yet.
 - e. Frank asked if it was time to get the legislators and descendants to support this effort. Lee said he has been disappointed in the response from Webb's office. He is still waiting for a response from Trevor Moe.
 - f. Lee was asked how long it would take to hear from the VA. Lee stated that he doesn't know what the time frame will be. He will send out the response to the Committee when received.
 - g. Joe would like a date certain at which point the Committee will start purchasing and placing head stones or is this just open-ended. Brag said that legal council has advised against this at the current time.
 - h. Frank noted that logic and the law do not always make the right decision.
10. Tree Work –
- a. Lee talked about having Tom Mondy remove the tree in Section D. No cost was given.
 - b. Lee wants to install a bulkhead in Section D to prevent erosion in the tree line. No cost was given.
11. Missing marker graves – Lee asked Joe if John Kindred wants to submit 100 applications for stones for some of those whose graves do not even have the 6 X 6 stone markers, John should send Lee the information.
12. Cast Aluminum Street Signs –
- a. Lee has 5 of these street signs from Oakwood that are from the 1930s – 1940s.
 - b. He has reinstalled the speed limit sign at the City's request.
 - c. Brag suggested donating these sign to Elm Springs
 - d. Lee thought these signs might be used as a fund raiser.
 - e. Joe asked if these signs could be reproduced but a foundry would be needed to do this.
 - f. The new signs are nice but not as stable as these old signs.
13. Other Property (2 lots) –
- a. Brag has worked with the City Attorney on these lots. They were to go on sale last September but the City had some problems. Brag thinks they will go up for sale in March 2012. He thinks the price for each lot will be considerably under \$5,000.
 - b. Frank asked if the property lines between these two properties and the one the Division currently owns could be vacated so that the three lots would become one lot. The answer was yes.
 - c. It was suggested that some of the street signs be kept for display in the future visitor's center.

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- d. **MOTION:** A motion was made by Mike Pullen with Lee seconding: That the Committee purchases both of the available lots at a price not to exceed \$5,000 per lot if funds are available. The motion carried with 7 ayes and none opposing.
 - e. It was noted that the Virginia Division Commander must sign the deed for this purchase.
 - f. Joe will obtain a letter of credit for up to \$10,000 (depending on funds available) from the bank to have at the time of sale.
14. Tom's Resignation – Lee stated that he will not accept Tom Davis' resignation from the Committee.
15. Meeting Accomplishments – Frank wanted to know if this meeting had accomplished anything. Committee concurred that it had.
16. Communications -
- a. Mike Pullen said that the Committee's communications must improve.
 - b. He would also like to see an annual Memorial Ceremony. It was suggested the May 18 would be an appropriate day.
 - c. A Work Day is needed.
17. Trash Disposal - Joe will send a copy of the last paid tax bill to Lee to expedite his use of the local landfill for trash disposal.
18. Communication with John Kindred - Lee asked Joe to call John Kindred about the issues discussed. Joe listed the points that would be discussed with John Kindred

Meeting ended at 2:02 PM.

RECAP:

Motions that Carried:

- 1. To award the contract to ADDO, Inc. to restore the gazebo for \$35,000 or less contingent on approval by the DEC.
- 2. To keep the gazebo in the same location.
- 3. That Committee pay for website development of \$3,500.
- 4. That the Committee pay up to a \$300 annual maintenance fee for the website. If the price of the maintenance contract changes, a new vote will be needed.
- 5. That any contract or project prior to the contract being signed or a project being started with a cost between \$1,000 and \$5,000 must be put to a vote by the entire Committee with the full cost being stated in the vote so called.
- 6. That the Committee pay up to \$2,600 for the Civil War Trails Marker.
- 7. For the Committee to expend up to \$5,000 on the front entrance project pending the contract and the agreement with the City.
- 8. That the Committee purchases both of the available lots at a price not to exceed \$5,000 per lot if funds are available.

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Action Items:

1. Joe requested a copy of this document and that of the request for the hearing by the VA Board from Lee.
2. Mike Rose will get the information from a member of his Camp on Ground penetrating radar and send it to Lee.
3. Brag will contact the Foundation to ascertain their willingness for the Committee to use the grant on the Gazebo for purposes other than encapsulating the base and get this information back to the entire Committee.
4. The final wording for the Civil War Trails Marker as changed will be sent to the entire Committee.
5. Lee will send out the response from The Veterans Administration to the entire Committee when received.
6. Brag when he is informed of the date of the lot sale will notify the current Virginia Division Commander and the Oakwood Restoration Committee Treasurer so that they can plan to attend the sale.
7. At the time of sale, the Treasurer will obtain a letter of credit for up to \$10,000 to have present at the sale.
8. Joe will send Lee a copy of the last paid property tax bill.
9. Joe will call John Kindred as requested by Lee Hart.

Respectfully submitted,
Sandra Wright, Scribe

After the meeting Sandra Wright tendered her resignation from the Advisory Board to Chairman Lee Hart and Communications Officer Mike Pullen.