

PRESS RELEASE

Colorado Department of Law
Attorney General John W. Suthers

FOR IMMEDIATE RELEASE

April 30, 2012

CONTACT

Mike Saccone
Communications Director
303-866-5632

**ATTORNEY GENERAL REACHES AGREEMENT WITH TRINIDAD NONPROFIT
REQUIRING REGULAR MEETINGS, PUBLIC DISCLOSURES**

DENVER — Colorado Attorney General John Suthers announced today that the state has reached an agreement with the Trinidad Catholic Cemetery Association that resolves allegations that the nonprofit had not conducted business according to its articles of incorporation and bylaws or the relevant laws.

Specifically, the Trinidad Catholic Cemetery Association had not been operating with a seven-member board as its articles of incorporation and bylaws required or limiting board members to a one-year term, as statute requires, for the past 14 years. The Trinidad Catholic Cemetery Association also was suspected of not maintaining records of its proceedings, failing to make the appropriate deposits into its Perpetual Care Fund and filing inaccurate federal form 990s.

Under the agreement, the cemetery association will be required to reconstitute its current board of directors, replacing several directors immediately, and adding additional members by September 2012. The settlement prohibits the board from changing its bylaws until the new board is in place. The new Trinidad Catholic Cemetery Association Board also will be required to vote on whether to include a Catholic priest to serve on the board. The Trinidad Catholic Cemetery Association Board also will be required to hire legal counsel to assist the board for at least a year.

The agreement also requires that the Trinidad Catholic Cemetery Association set aside at least 30 minutes at each of its meetings to receive public comment. The agreement also requires that the board solicit bids for any project costing more than \$1,000 and record any conflicts of interest on the board related to any related transactions. The Trinidad Catholic Cemetery Association also will be required to submit to independent audits for the next three years, which the Office of the Attorney General will review.

The agreement, commonly called an Assurance of Voluntary Compliance, is one of the Office of the Attorney General's tools to ensure compliance with state without initiating a court action. Assurances of Voluntary Compliance have the legal force of a settlement and court enforcement.