

**MINUTES**  
**South Carolina Perpetual Care Cemetery**  
**Board Meeting**

10:00 a.m., Wednesday, November 18, 2015  
Synergy Business Park  
110 Centerview Drive, Kingstree Building Room 108  
Columbia, South Carolina

**Wednesday, November 18, 2015**

**1. Meeting Called to Order**

J. W. Russ, Chair, of Conway, called the meeting to order at 10:11 a.m. Other members participating during the meeting were: Russel Floyd, Vice Chair, of Spartanburg; Roger Finch, of Easley; and, John Bartus, of Mauldin; Rick Riggins, of Lancaster; and Jacquelyn Petty, of Union.

Staff members participating in the meeting included: Monaca Harrelson, Administrative Assistant; Amy Holleman, Administrator; Mary League, Advice Counsel, Office of Advice Counsel; Sharon Cook, Investigator, Office of Investigations and Enforcement; Tracey Perlman, Disciplinary Counsel, Office of Disciplinary Counsel; Buddy Poole, Inspector, Office of Investigations and Enforcement; and, Ernest Adams, Inspector, Office of Investigations and Enforcement.

Members of the public attending the meeting included Pam and Ralph Satterfield of Gray Funeral Home, Chip Howe of Clinton, Joy and Gray Burroughs of Sunset Hill Memorial Park, Bill Gaffney of Mountain View Memorial Park, and Tamala Randolph and Robin Morris of StoneMor.

**A. Public Notice**

Mr. Russ announced that public notice of this meeting was properly posted at the S. C. Perpetual Care Cemetery Board office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. He noted a quorum was present.

**B. Pledge of Allegiance**

**2. Introduction of Board Members and Persons Attending the Meeting**

Mr. Russ introduced himself, all Board members, and Advice Counsel. Mr. Russ requested that Ms. Holleman please introduce herself and her staff. Mr. Russ asked that all other persons attending the meeting introduce themselves.

**3. Approval of Excused Absences**

All Board members were in attendance.

**MOTION**

**4. Approval of Minutes for the September 3, 2015 and October 16, 2015 meetings**

**MOTION**

Mr. Floyd made a motion the Board approve the minutes of the September 3, 2015 and October 16, 2015 meetings. Mr. Riggins seconded the motion, which carried unanimously.

**5. Chairman's Remarks – J. W. Russ**

Mr. Russ thanked everyone for attending the meeting.

**6. Administrator's Remarks – Amy Holleman**

A. Financial Statements

Ms. Holleman presented the financial statements to the Board for their review. Ms. Holleman noted the October 2015 ending cash balance for the Board was \$-63,563.08. Ms. Holleman reminded the Board that license renewal notices with the renewal fee called for in statute have been sent out and are due by December 31, 2015.

**7. Reports**

A. Inspection Report – Ernest Adams

Mr. Adams stated there were 28 inspections from August 28, 2015 through November 12, 2015.

B. Investigative Review Committee (IRC) Report – Amy Holleman

Ms. Holleman, in Sharon Wolfe's absence, reported that the IRC reviewed five cases. Four cases are recommended for dismissal and one case will be brought as a formal complaint.

**MOTION**

Mr. Riggins made a motion the Board accept the IRC recommendations, Mr. Finch seconded, and the motion was carried unanimously.

C. Office of Investigation and Enforcement (OIE) Report – Amy Holleman

Ms. Holleman, in Sharon Wolfe's absence, reported that, of the cases received from January 1, 2015 through November 6, 2015, there are three active investigations, five Do Not Open cases, seven cases pending Board action, and five cases pending IRC. Twenty-nine cases have been closed over the same time period with seven Do Not Open cases resulting in 36 cases closed total.

**MOTION**

Mr. Russell made a motion the Board accept the OIE report, Mr. Bartus seconded, and the motion was carried unanimously.

D. Office of Disciplinary Counsel (ODC) Report– Tracey Perlman

Ms. Perlman reviewed the Office of Disciplinary Counsel case log for the Cemetery Board and informed them that there are currently five open cases. She stated that three are pending Final Order hearings, two cases are closed, and two cases have appealed.

**8. Final Order Hearing for Case No. OIE – 2013-12, 2013-13, 2013-14 (Private)**

Mr. Floyd recused himself.

**MOTION**

Mr. Russ made a motion to allow for changing of staff for the Final Order Hearing, Mr. Riggins seconded, and the motion was carried unanimously.

**Return to Public Session**

**9. New Business**

A. Ownership Change Sunset Hill Memorial Park

1. Sunset Hill Memorial Park

Sunset Hill Memorial Park was previously owned by David Glenn Evans, and was subjected to suspension and other sanctions for noncompliance. Mr. Evans borrowed money from Ralph F Patterson, Jr. in 1998 using the cemetery and his funeral home as collateral. Mr. Evans defaulted on his loans with Mr. Patterson, and Mr. Patterson took possession of the cemetery on January 14, 2015. Mr. Patterson now seeks approval for acquisition of control of the cemetery and approval of Alan Gray Burroughs as its general manager.

Mr. Patterson has attempted to provide all records and information needed regarding the operation of the cemetery, although all are not available. The present trust fund Trustee is unable to locate the original trust documents, which does not have a merchandise fund, and wishes to resign as trustee.

**Executive Session**

**MOTION**

Mr. Russ called for a motion to enter into Executive Session for legal advice. Mr. Bartus made the motion, Mr. Finch seconded the motion and it carried unanimously.

**Return to Public Session**

**MOTION**

Mr. Floyd made a motion that the Board return to public session. Mr. Finch seconded the motion, which carried unanimously.

Mr. Russ noted for the record that no official action was taken during Executive Session.

**MOTION**

Mr. Russ then called to entertain a motion, presented by Mary League, Advice Counsel. Mr. Burroughs is approved as general manager of the cemetery. Mr. Patterson's request for transfer of ownership is approved pending the following conditions:

1. Applicant shall timely comply with all statutory and regulatory requirements pertaining to acquisition of control, including but not limited to, submission to the Board by June 30, 2016, or sooner, of:
  - a. All required Agreed Upon Procedures ("AUPs");
  - b. Acceptable perpetual care trust agreement documents, to be approved by Board staff in consultation with a member of the Board if necessary;
  - c. Acceptable updated rules and regulations; and
  - d. Proof of compliance with all required statutory disclosures.
2. If necessary, the Board will convene a special called meeting as soon as is practical after the new trust documents are submitted and approved, and all other required

documents are also submitted by Applicant, to review the transfer of the trust from the current Trustee to a new Trustee.

3. The suspensions, terms, conditions and penalties set out in prior Board Orders regarding Cemetery do not apply to this newly licensed Applicant.
4. Should Applicant fail to comply with any of the above terms of this Order, the license will be suspended until further action or order of the Board.

Mr. Riggins made the motion, Mr. Floyd seconded, and the motion was passed unanimously.

#### B. Change of Trustee

##### 1. Greenlawn Cemetery

The Board reviewed documents associated with a change of Trustee request from First Citizens Bank to First Bank. The Board requested and reviewed the current trust document.

#### **MOTION**

Mr. Floyd made a motion to approve the change of Trustee, Mr. Riggins seconded, and the motion carried unanimously.

##### 2. StoneMor South Carolina

StoneMor South Carolina representative Tamela Randolph appeared before the Board to request a change of Trustee for Frederick Memorial Gardens, Graceland East Memorial Park, Forest Lawn Cemetery, Forest Lawn East, Good Shepherd Memorial Gardens, Whispering Pines Memorial Gardens, and Graceland Cemetery from SunTrust Bank to Regions Bank.

#### **MOTION**

Mr. Floyd made a motion to approve the change of Trustee, Mr. Riggins seconded, and the motion carried unanimously.

### **10. Election of Officers**

Mr. Russ opened the floor to nominations for Chairman and Vice Chairman.

#### **MOTION**

Mr. Floyd made a motion for Mr. Russ to serve as Chairman, Mr. Riggins seconded, and the motion was passed unanimously.

#### **MOTION**

Ms. Petty made a motion for Mr. Floyd to serve as Vice Chairman, Mr. Riggins seconded, and the motion was passed unanimously.

#### **MOTION**

Mr. Floyd made a motion to close the floor for nominations, Ms. Petty seconded, and the motion was passed unanimously.

### **11. Approval of 2016 Board Meeting Dates**

Mr. Russ called for motion to approve the following 2016 meeting dates: March 3, May 26, August 4, and November 3.

**MOTION**

Mr. Riggins made a motion to approve the dates, Mr. Floyd seconded, and the motion was passed unanimously.

**12. Public Comments (No Vote May Be Taken)**

No public comments.

**13. Adjournment**

**MOTION**

Mr. Floyd made a motion the Board adjourn. Ms. Petty seconded the motion, which carried unanimously.

The November 20, 2014, meeting of the SC Perpetual Care Cemetery Board adjourned at 12:49 p.m.

The next meeting of the SC Perpetual Care Cemetery Board is scheduled for March 3, 2016.