

MINUTES
South Carolina Board of Funeral Service
Board Meeting

10:00 a.m., Tuesday, June 5, 2013
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 108
Columbia, South Carolina

Wednesday, June 5, 2013

1. Meeting Called to Order

Kenneth E. Beasley, of Fountain Inn, President, called the regular meeting of the SC Board of Funeral Service to order at 10:07 a.m. Other Board members present for the meeting included: Thomas E. Baker, II, Vice President, of Kershaw; Wallace McKnight, Jr., Secretary, of Andrews; Charlie Bradford Evans, of Abbeville; Michelle Cooper, of Moncks Corner; William B. Horton, Jr., of Kingstree; Mark R. O'Steen, of Spartanburg; John L. Petty, III, of Landrum; and, Jeffrey K. Temples, of Columbia.

Staff members participating in the meeting included: Jeanie Rose, Administrative Assistant; Doris Cubitt, Administrator; Amy Holleman, Administrative Assistant; Georgia Lewis, Advice Counsel, Office of Advice Counsel; Sara McCartha, Advice Counsel, Office of Advice Counsel; Erin Baldwin, Office of General Counsel; Buddy Poole, Inspector, Office of Investigations and Enforcement; Sharon Wolfe, Chief Investigator, Office of Investigations and Enforcement; and, Sharon Cook, Investigator, Office of Investigations and Enforcement.

Members of the public attending the meeting included: Tiffany Gibson, of SC Department of Consumer Affairs (SCDCA); Matalie Mickens, of SC Department of Consumer Affairs (SCDCA); W. Scott Fowler, of J F Floyd Mortuary; Lou Ann Pyatt, of the SC Morticians Association (SCMA); Mike Squires, of the SC Funeral Directors Association (SCFDA); Jim Bowdre, of Myrtle Beach Funeral Home; Carole Bowdre, of Myrtle Beach Funeral Home; Greg Rollings, of Rollings Funeral Service; Tom C. MsAlhany; Joan S. Gause, of United Funeral Home; Vera Grate, of United Funeral Home; Derrick Williamson; Lanard Briggs, of Sunset View Mortuary; Brendolyn Jenkins, of Sunset View Mortuary; David Brooks, of Morris Funeral Cottage Inc.; Jerry Deese, of Dunbar Funeral Home; Greg Dunbar, of Dunbar Funeral Home; Korie Galloway, of Allen Funeral Home; William Allen Galloway Allen, of Allen Funeral Home; and, Tamala Randolph, of StoneMor.

This proceeding was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

a. Public Notice

Mr. Beasley announced that public notice of this meeting was properly posted at the SC Board of Funeral Service 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.

b. Pledge of Allegiance

All present recited the Pledge of Allegiance.

2. Introduction of Board Members and Persons Attending the Meeting

The Board members, staff, and all other persons attending the meeting introduced themselves.

3. Approval of Excused Absences

No absences at this meeting.

4. Approval of Minutes for the April 3, 2013, Meeting

MOTION

Mr. Evans made a motion that the Board approve the minutes for the April 3, 2013, meeting. Mr. Baker seconded the motion, which carried unanimously.

5. President's Remarks – Kenneth Beasley

Mr. Beasley welcomed everyone to the meeting and thanked everyone for attending.

6. Administrator's Remarks – Doris Cubitt

Ms. Cubitt stated that Ms. Baldwin from the Office of General Counsel is the new attorney assigned to the Funeral Service Board.

She stated that the agency had been using Granicus, which is an online video system used to broadcast the board meetings, and it is no longer available.

She informed the board that we now have the board meeting packets for the Board members available electronically and if anyone is interested please contact Ms. Elrod.

She informed the Board that the August 1, 2013 board meeting has been rescheduled for July 22 & 23, 2013. She stated the purpose was to have the board meeting and work session together so the Board members can review the general price list, casket price list, and outer burial container price list.

Ms. Cubitt stated that the Death Care Regulators Conference will be in St. Louis on September 9-13, 2013. She stated she needs a vote if they wish for her to attend.

MOTION

Mr. Petty made a motion that the Board approve Ms. Cubitt to attend the Death Care Regulators Conference. Mr. Evans seconded the motion, which carried unanimously.

7. Reports

A. Inspection Report

Mr. Poole reported that there have been about 175 inspections completed since April 2, 2013.

MOTION

Mr. Horton made a motion that the Board accept this as information. Mr. Temples seconded the motion, which carried unanimously.

B. Investigative Review Committee (IRC) Report

Ms. Wolfe said the IRC recommended three cases to be dismissed, cease and desist one case, a letter of caution be issued for one case, and formal complaints be issued on five cases.

MOTION

Mr. Petty made a motion that the Board approve the IRC recommendations. Mr. Temples seconded the motion, which carried unanimously.

C. OIE Report

Ms. Wolfe stated that there are 22 active cases, eight are pending board action, and 31 cases have been closed from January 1, 2013, to May 24, 2013.

MOTION

Mr. Temples made a motion that the Board accept this as information. Ms. Cooper seconded the motion, which carried unanimously.

D. Office of General Counsel

Ms. Baldwin presented the Board with the report from the Office of General Counsel (OGC). She included in the report that OGC opened 27 cases, 25 cases are pending action, one case pending consent agreement, nine cases closed, and one has appealed.

MOTION

Mr. Evans made a motion that the Board accept this as information. Mr. Petty seconded the motion, which carried unanimously.

New Business

8. Application Hearings

Facility

1. Culler-McAlhany Funeral Home – Tom C. McAlhany

Mr. Rollings is purchasing this funeral home and Mr. McAlhany is the proposed manager.

MOTION

Mr. Horton made a motion the board approve this application pending passing final inspection and proof of sale. Mr. Baker seconded the motion, which carried unanimously.

2. Morris Funeral Cottage Inc – E David Brooks, Jr.

Mr. Brown stated that he will be the sole owner and proposed manager of this funeral home. He stated that his mother passed away last year, and he and his mother were both officers of the corporation. He inherited all of her portions of the funeral home.

Ms. Coleman advised Mr. Brooks to change the name of the funeral home back to reflect the same as the secretary of state documents, Morris Funeral Cottage of Cheraw, Inc.

Executive Session

MOTION

Mr. Horton made a motion that the Board enter into executive session for legal advice. Mr. Baker seconded the motion, which carried unanimously.

Return to Public Session

MOTION

Mr. Horton made a motion that the Board return to public session. Mr. Temples seconded the motion, which carried unanimously. Mr. Beasley noted for the record that no official action was taken during executive session.

MOTION

Mr. Evans made a motion that the Board approve this application, honoring the current inspection report, and pending a clocked copy of the incorporation documents. Mr. Horton seconded the motion, which carried unanimously.

3. Sunset View Mortuary LLC – Brendolyn L Jenkins

Mr. Briggs is requesting an ownership change for the funeral home since he and his partner, Mr. James D. Davis dissolved their partnership. Ms. Jenkins is the proposed manager.

MOTION

Mr. Horton made a motion that the Board approve this application pending a favorable inspection and incorporation documents. Mr. McKnight seconded the motion, which carried unanimously.

4. United Funeral Home – Joan S Gause

Ms. Grate is requesting an ownership change for the funeral home since the passing of her husband, Drawt Grate. Ms. Gause is the proposed manager and has been the manager of this funeral home for a few years.

MOTION

Mr. Evans made a motion the board approve this application with Ms. Gause as manager pending passing final inspection and LLC documents. Mr. McKnight seconded the motion, which carried unanimously.

Request to accept Apprenticeship expired over 5 years

1. Jerry Clifton Deese – Funeral Director/Embalmer

Mr. Deese requested that the Board accept his apprenticeship even though it expired over five years ago. He stated that he had moved away from South Carolina to pursue a different profession. He is now back in South Carolina and working for Dunbar Funeral Home. He has completed mortuary college and passed the national arts exam. He stated that he wishes to take the national science and SC law exams.

MOTION

Mr. Evans made a motion that Mr. Deese be allowed to license as a funeral director if he passes the SC law exam within 90 days of the meeting. Additionally, he must pass the science portion of the exam within 90 days of the meeting to be licensed as an embalmer. If he does not pass the SC law within 90 days, he must do the funeral director and embalmer apprenticeship again. If he passes the SC law but not the science portion of the exam, he must complete the embalming apprenticeship again. Mr. Baker seconded the motion, which carried with eight "yeas". Ms. Cooper voted "nay".

Request to serve Apprenticeship 4th time

1. Korie Allen Galloway – Apprentice Funeral Director

Mr. Galloway has served his apprenticeship three times and wishes to serve it a fourth time so he may complete the requirements.

MOTION

Mr. Horton made a motion that the Board allow Mr. Galloway to extend his apprenticeship to complete his required cases. Mr. Temples seconded the motion, which carried unanimously.

Request for Apprenticeship applicant has other full-time employment

1. Carole Hollingsworth Bowdre - Apprentice Funeral Director

Ms. Bowdre has other full-time employment as a Marketing Liaison with Beacon Hospice. But she also wishes to serve her apprenticeship, which should be full-time with a minimum of 35 hours a week.

Mr. Horton cautioned Ms. Bowdre on working with Hospice and a funeral home. There could be a conflict of interest and possibly misleading to the public since she will be working for both. She needs to be very careful.

MOTION

Mr. Horton made a motion that the Board accept Ms. Bowdre's request since this is a family owned and operated funeral home. Mr. McKnight seconded the motion, which carried unanimously.

2. Derrick Jermaine Williamson – Apprentice Funeral Director

Mr. Williamson has other full-time employment with The State of SC and wishes to serve his apprenticeship because he believes he can also work full-time with a minimum of 35 hours a week at the funeral home.

MOTION

Mr. Petty made a motion for the board table Mr. Williamson's request at this time. Mr. Evans seconded the motion, which carried unanimously.

9. Committee Reports

A. Legislative Committee – Brad Evans

This committee had no report.

B. Examination/CEU/Education – Jeff Temples, Mark O'Steen

This committee had no report.

C. Regulatory Compliance (Federal and State) / FTC / OSHA / ADA / PreNeed – Billy Horton, Doris Cubitt

This committee had no report.

10. Public Comments

No public comments at this time.

11. Adjournment

MOTION

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

The June 5, 2013, meeting of the SC Board of Funeral Service adjourned at 1:24 p.m.

The next meeting of the SC Board of Funeral Service is scheduled for July 22 & July 23, 2013.