

## MINUTES

South Carolina Perpetual Care Cemetery Board

Board Meeting

10:00 a.m., November 17, 2004

Synergy Business Park

110 Centerview Drive, Kingstree Building, Room 107

Columbia, South Carolina

Mr. Russ, Chairman, called the meeting to order at 10:02 a.m.

Board members attending the meeting included: James W. Russ, of Conway; Russel Floyd, Jr., of Spartanburg; John E. Bartus, of Mauldin; Thomas Johnson, of Charleston; Andrew Cone, of Pickens; Ray Visotski, of Aiken; and Roger Finch, of Honea Path.

Staff members participating included: Wendi Elrod, Administrative Specialist; Rion Alvey, Administrator; Bill Whitby, Investigator; Sharon Dantzler, General Counsel; Ed Farnell, Office of Investigation and Enforcement; and Tony Kennedy, Office of Investigation and Enforcement.

Meeting Called to Order

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, 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 that a quorum is present.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Approval of Minutes for the February 18, 2004 Meeting

Mr. Bartus made a motion for the minutes to be accepted, seconded by Mr. Visotski and unanimously carried.

Administrator's Remarks, For Information - Rion Alvey

Mr. Alvey introduced Mr. Ed Farnell and Mr. Tony Kennedy, Office of Investigation and Enforcement. Mr. Kennedy took the place of Ms. Kathy Prince as investigator. Mr. Alvey explained that all complaints that are received are passed on to OIE for processing which is under Mr. Farnell. Mr. Whitby is the inspector for the Perpetual Care Cemetery Board, which is responsible for the inspection of the cemeteries.

1. Trust Fund information on Perpetual Care Cemeteries.

Mr. Alvey stated that the deadline for the Annual report to be turned in is December 31, 2004. There have been 23 Annual reports submitted at this time.

## 2. Number of Inspections and how they went.

Mr. Alvey indicated that there have been 24 inspections completed at this time. As well as 34 Renewals have been turned in.

## Action Items (Vote Required)

### Unfinished Business

#### 1. Cemeteries not in compliance

Mr. Alvey stated that there's not updated information at this time.

## New Business - Rion Alvey

### 1. Election of Officers

#### Chairman

Mr. Russ opened the floor for nominations for chairman.

Mr. Floyd nominated Mr. Russ as chairman. Mr. Finch seconded the nomination. Mr. Russ re-elected by acclamation.

#### Vice Chairman

Mr. Russ opened the floor for nominations for vice chairman.

Mr. Cone nominated Mr. Floyd for vice chairman. Mr. Visotski seconded the motion. Mr. Floyd was re-elected vice chairman by acclamation.

## IRC

Mr. Floyd made a motion to keep Mr. Willard Rainey as the Boards consultant for the Investigative Review Committee. Mr. Cone seconded the motion.

## 2. License Approval for Forest Lawn Memory Gardens, Inc - Abbeville, SC

It was discussed what information is needs to show that all liabilities of the cemetery was assumed by the new owner. The Board felt that the following information was needed to verify that all liabilities were assumed as well as the new owner was aware of all liabilities that they are responsible for.

1. Please provide the Federal Tax Identification number.

2. Verification of funds in the Perpetual Care trust fund. Verify the (Practice of Pre-Selling) goods or services that were prepaid prior to the sale of the cemetery. Including but not limited to opening and closings.

3. Disclose if any goods or services that were prepaid for (Practice of Pre-Selling) by the previous owner prior to the sale of the cemetery (Including but not limited to opening and closing). If so, how was the liability(s) handled.

4. Please provide a copy of Sale Contract (you may exclude the purchase price).

5. Have there been any contractual agreements between the cemetery and any fraternal and/or religious organizations that would obligate the new owner to provide goods or services. If so, how were these obligations handled?

### 3. Merchandise Account Form

Mr. Russ suggested that they form a committee to establish the Merchandise Account form. Mr. Russ suggested that Mr. Floyd and Mr. Visotski be part of the committee and Mr. Alvey recommended Doris Cubitt, Accountancy with LLR.

4. Annual Reporting Form - Question # 4, if a cemetery has bad debt spaces and after a period of time no money is collected, at what point would or should the forty dollars to be trusted?

If in fact it is a bad debt then no money needs to be trusted.

### Discussion Items (No Votes Required)

#### 1. Inspection Form clarification (written complaint log)

Mr. Whitby explained how well the inspections have gone. He stated that he is happy with the way the inspections are going. The cemeteries that have been inspected have very minor changes that need to be made. He also stated that very few cemeteries have a written complaint log. Mr. Whitby also stated that there are few cemeteries that have the outside vendor policy posted and one without a Perpetual Care sign.

### Public Comments (No Votes May Be Taken)

There were no public comments made during the November 17, 2004 meeting.

### Executive Session

#### MOTION

Mr. Floyd moved the Board enter executive session at 11:00 am. Mr. Cone seconded the motion, which carried unanimously.

### Return to Public Session to Report on Executive Session

#### MOTION

Mr. Bartus made a motion at 11:30 am, seconded by Mr. Visotski and unanimously carried, that the Board return to public session.

Mr. Russ noted for the record that no motions were made and no votes were taken during executive session.

### Adjournment

There being no further business to be discussed at this time, Mr. Russ adjourned the at 11:57 am.

The next meeting of the S.C. Perpetual Care Cemetery Board has been scheduled for February 16, 2005.