

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

10:00 a.m. September 22, 2022  
110 Centerview Drive, Kingstree Building Room 108  
Columbia, South Carolina  
Virtual – Video/Teleconference

**Thursday, September 22, 2022**

**1. Meeting called to Order**

William Russel Floyd, Jr., Chairperson, of Spartanburg, called the regular meeting of the South Carolina Perpetual Care Cemetery to order at 10:16 a.m. Other members participating during the meeting were: Felicia Smith-Charles, Vice-Chair, of Florence; Jeffrey W. Riggins of Lancaster; and David Brown of Florence.

Staff members present for the meeting included: Mary League, Advice Counsel, Office of Advice Counsel; Alexis Bell, Disciplinary Counsel, Office of Disciplinary Counsel; Amy Holleman, Administrator; Norma McAllister, Program Assistant; Kristina Zepp, Administrative Assistant, and Michael Smith, Investigator, Office of Investigations and Enforcement;

Members of the public attending the meeting were: Thomas Wright IV, and Ed Gamble of Beaufort Memorial Gardens; Justin Wilson, of Argent Bank; Belinda Guinyard, of Hope Memorial Park; Toni Wilson, Gerald Wilson, and Scott Woodley, of Crescent Hill; Emily Aspinwall, and Michael Somers, of Riverview Memorial Park Cemetery; George Spring, and Deanna Green, of Lake City Memorial Park; Diana Wall.

**A. Public Notice**

Mr. Floyd announced that public notice of this meeting was properly posted at the South Carolina 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. Members of the public who wish to attend may do so by live streaming at <https://lr.sc.gov/cem/videos.aspx>.

**2. Adopting the Agenda**

**MOTION:** Mr. Brown made the motion, and Ms. Smith-Charles seconded, that the Board adopts the agenda for the September 22, 2022, South Carolina Perpetual Cemetery Board meeting. The motion carried unanimously.

**3. Introduction of Board Members and Staff Attending the Meeting**

The board members and staff attending the meeting introduced themselves.

**4. Approval of Excused Absences**

Ms. Pamela Turner was not in attendance.

**MOTION:** Mr. Brown made a motion, and Mr. Riggins seconded, that the Board approve Ms. Turner's absence. The motion carried unanimously.

## 5. Approval of Minutes for the June 2, 2022 Board Meeting

The Board reviewed the minutes.

**MOTION:** Ms. Smith-Charles made a motion, and Mr. Riggins seconded, that the Board approve the June 2, 2022 minutes with corrections. The motion carried unanimously.

## 6. Chairperson's Remarks – W. Russel Floyd, Jr.

Mr. Floyd welcomed everyone to the Board meeting.

## 7. Administrator's Remarks – Amy Holleman

### A. Financial Report

Ms. Holleman presented the financial report, informing the Board that the cash balance at the end of August 31, 2022 was -\$299,200.32.

Ms. Holleman provided an overview of the North American Death Care Regulator Annual Conference.

Ms. Holleman informed the Board that renewals should begin in mid-October 2022.

## 8. Reports

### A. Investigative Review Committee (IRC) Report

Mr. Smith asked that the Board review and approve the Investigative Review Committee Report recommending the dismissal of cases 2022-6, 2022-13, 2022-28, and 2022-40; a letter of caution for cases 2022-37 and 2022-39; and formal complaints for cases 2022-17, 2022-19, 2022-21, 2022-22, 2022-23, 2022-24, 2022-25, 2022-26, 2022-27, 2022-30, 2022-31, 2022-38.

**MOTION:** Mr. Brown made a motion, seconded by Mr. Riggins, that the Board approves the Investigative Review Committee recommendations. The motion carried unanimously.

### B. Office of Investigations and Enforcement (OIE) Report

Mr. Smith stated that the Office of Investigation and Enforcement received 41 complaints and closed 5 between January 1, 2022 and September 12, 2022. There are currently two active investigations.

### C. Office of Disciplinary (ODC) Counsel

Ms. Bell informed the Board that the Office of Disciplinary Counsel (ODC) has 18 open cases; four pending a hearing or an agreement; one appeal, and none closed since the last report.

## Application Hearings

### 9. A. Transfer of Irrevocable Trust Account

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

#### 1. Greenlawn Memorial Park of Pageland – Pageland – CEM.1131

Mr. Justin Wilson presented on behalf of Argent Trust Company. There were no representatives from Greenlawn Memorial Park

Ms. Holleman informed the Board that the request is complete. Mr. Wilson is requesting that the Board

approve the transfer of the Care and Maintenance Trust Fund from First Citizens Bank & Trust Company to Argent Trust Company. Mr. Wilson concurred with Ms. Holleman's statement.

The Board determined that there was sufficient information without the cemetery's representative to proceed in this matter

The Board questioned Mr. Wilson regarding this matter.

Mr. Floyd called for a motion in this matter.

**MOTION:** Ms. Smith-Charles made a motion that the Board approves the transfer of Greenlawn Memorial Park Care and Maintenance Trust Fund from First Citizens Bank & Trust Company to Argent Trust Company. Mr. Brown seconded the motion, which carried unanimously.

## 2. Beaufort Memorial Gardens, Inc. – Beaufort – CEM. 1143

Mr. Thomas Wright and Mr. Ed Gamble presented on behalf of Beaufort Memorial Gardens, Inc. Mr. Justin Wilson presented on behalf of Argent Trust Company.

Ms. Holleman informed the Board that the request is complete. Mr. Wright is requesting that the Board approve the transfer of the Care and Maintenance Trust Fund from Trust to Argent Trust Company. Mr. Wright concurred with Ms. Holleman's statement.

The Board questioned Mr. Wright, Mr. Gamble and Mr. Wilson regarding this matter, including the type of account the perpetual care and maintenance money was being kept in and whether or not the account was sufficiently funded. The Board reminded Mr. Gamble and Mr. Wilson that the cemetery must make deposits into the care and maintenance trust fund regardless of whether or not they deposited more than the minimum required by statute in the past.

### **Executive Session**

**MOTION:** Mr. Riggins made a motion to go into executive session to receive legal advice in this matter. Mr. Brown seconded the motion, which carried unanimously.

### **Return to Public Session**

**MOTION:** Mr. Riggins made a motion to come out of Executive Session. Mr. Brown seconded the motion, which carried unanimously.

Mr. Floyd noted, for the record, there were no votes taken during Executive Session.

Mr. Floyd called for a motion in this matter.

**MOTION:** Ms. Smith-Charles made a motion that the Board approves the transfer of Beaufort Memorial Gardens Inc. Care and Maintenance Trust Fund from Trust to Argent Trust Company. Mr. Brown seconded the motion, which carried unanimously.

## 3. Resthaven Memorial Gardens – Piedmont – CEM. 1087

Mr. Justin Wilson presented on behalf of Argent Trust Company. There were no representatives from Resthaven Memorial Gardens.

Ms. Holleman informed the Board that the request is complete. Mr. Wilson is requesting that the Board

approve the transfer of the Care and Maintenance Trust Fund from First Citizens Bank & Trust Company to Argent Trust Company. Mr. Wilson concurred with Ms. Holleman's statement.

The Board determined that there was sufficient information without the cemetery's' representative to proceed in this matter

The Board questioned Mr. Wilson regarding this matter.

Mr. Floyd called for a motion in this matter.

**MOTION:** Mr. Riggins made a motion that the Board approves the transfer of Resthaven Memorial Gardens Care and Maintenance Trust Fund from First Citizens Bank & Trust Company to Argent Trust Company. Ms. Smith-Charles seconded the motion, which carried unanimously.

#### 4. Hope Memorial Park – Barnwell – CEM. 1058

Ms. Belinda Guinyard presented on behalf of Resthaven Memorial Gardens. Mr. Justin Wilson presented on behalf of Argent Trust Company.

Ms. Holleman informed the Board that the request is complete. Ms. Guinyard is requesting that the Board approve the transfer of the Care and Maintenance Trust Fund from First Citizens Bank & Trust Company to Argent Trust Company. Ms. Guinyard concurred with Ms. Holleman's statement.

The Board questioned Ms. Guinyard and Mr. Wilson regarding this matter.

Mr. Floyd called for a motion in this matter.

**MOTION:** Ms. Smith-Charles made a motion that the Board approves the transfer of Hope Memorial Park Care and Maintenance Trust Fund from First Citizens Bank & Trust Company to Argent Trust Company. Mr. Brown seconded the motion, which carried unanimously.

### 9. B. **Agreed-Upon Procedures Extension Request**

These proceedings were recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

#### 1. Crescent Hill Memorial Gardens – Columbia – CEM. 1016

Ms. Toni Wilson and Mr. Gerald Wilson appeared before the Board on behalf of Crescent Hill Memorial Gardens.

Ms. Holleman informed the Board that Ms. Wilson and Mr. Wilson are asking that the Board grant an extension for the cemetery to submit its 2021 Agreed-Upon Procedures.

Mr. Wilson informed the Board that the Certified Public Accountant advised they would not be able to complete the Agreed Upon Procedure in time to meet statutory requirements. He asked that the Board grant him an extension to the end of November 2022.

Mr. Floyd called for a motion in this matter.

**MOTION:** Mr. Riggins made a motion, and Mr. Brown seconded, that the Board grants Mr. Wilson until from today's date September 22, 2022 until November 30, 2022 to submit the 2021 Agreed Upon Procedures. The motion carried unanimously.

## 2. Riverview Memorial Park Cemetery – North Charleston – CEM. 1089

Mr. Michael Somers and Ms. Emily Aspinwall appeared before the Board on behalf of Riverview Memorial Park Cemetery.

Ms. Holleman informed the Board that Mr. Somers and Ms. Aspinwall are asking that the Board grant an extension for the cemetery to submit its 2021 Agreed Upon Procedures.

Ms. Aspinwall informed the Board that due to changes internally on the accounting team and accounting firm resulted in the Cemetery not being able to submit them in time to meet statutory requirements. She asked that the Board grant her an extension until the end of the year, December 31, 2022.

Mr. Floyd called for a motion in this matter.

**MOTION:** Mr. Brown made a motion, and Ms. Smith-Charles seconded, that the Board grants Ms. Aspinwall until from today's date September 22, 2022 until December 31, 2022 to submit the 2021 Agreed Upon Procedures. The motion carried unanimously

### **Disciplinary**

#### **10. A. Memorandum of Agreement (MOA)**

These proceedings were recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

##### 1. Case No.: 2019-23

George Spring and DeAnna Green represented the Respondent, Lake City Memorial Park, Lake City South Carolina.

Alexis Bell, Office of Disciplinary Counsel, represented the State.

**MOTION:** After hearing from both parties, Mr. Brown made a motion and Mr. Riggins seconded motion to go into Executive Session to receive legal advice. The motion was approved unanimously.

**MOTION:** Mr. Riggins made a motion and Mr. Brown seconded to return to Open Session. The motion was approved unanimously.

Upon return to Open Session Mr. Floyd noted that no action had been taken. Mr. Floyd then called for a motion in the matter.

**MOTION:** Ms. Smith-Charles asked that Advice Counsel read the motion, which stated that the Board accepts the Memorandum of Agreement and sanctions the Respondent with a Letter of Caution. Mr. Riggins seconded the motion, which carried unanimously.

#### **11. Compliance Update, Case Numbers 2020-9; 2020-20; 2021-9**

Ms. Holleman informed the Board that the cemetery owners are complying with the Board order by contracting services for the necessary repairs and providing regular updates to the Board Administrator. She informed the Board that copies of the cemetery company's monthly reports were included in the Board's meeting materials if they wished to review those.

## 12. Approval of 2023 Meeting Dates/Calendar

2023

TENTATIVE/PROPOSED SOUTH CAROLINA  
SC PERPETUAL CARE CEMETERY BOARD MEETING DATES

MONTH	DATE	NOTES
MARCH	Thursday, March 9, 2023	Rooms 107 & 108
JUNE	Thursday, June 8, 2023	Rooms 107 & 108
SEPTEMBER	Thurs., September 21, 2023	Rooms 107 & 108
NOVEMBER	Thursday, November 2, 2023	<i>Election of Officers</i> Room 108

**Motion:** Mr. Brown made a motion and Ms. Smith-Charles seconded the motion to accept the 2023 proposed meeting dates. The motion carried unanimously.

## 13. Public Comments (No Vote May Be Taken)

### 14. Adjournment

Mr. Floyd called for a motion to adjourn the meeting.

**MOTION:** Ms. Smith-Charles made a motion, seconded by Mr. Riggins, to adjourn the meeting. The motion carried unanimously.

Mr. Floyd, after ensuring there being no further business to discuss, adjourned the September 22, 2022, meeting for the South Carolina Perpetual Care Cemetery Board at 12:10 p.m.

The next scheduled Board meeting for the South Carolina Perpetual Care Cemetery Board is November 2, 2022 at 10:00 a.m.