

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

10:00 a.m., November 9, 2017  
Synergy Business Park  
110 Centerview Drive, Kingstree Building Room 107  
Columbia, South Carolina

**Thursday, November 9, 2017**

**1. Meeting called to Order**

J. W. Russ, Chairperson, of Conway, called the regular meeting of the South Carolina Perpetual Care Cemetery to order at 10:05 a.m. Other members participating during the meeting were: Russell Floyd, Vice Chairperson, of Spartanburg; Jacquelyn Petty, of Union; Rick Riggins, of Lancaster; and Catherine McNicoll of Lexington.

Staff members participating in the meeting included: Mary League, Advice Counsel, Office of Advice Counsel; Tina Brown, Disciplinary Counsel, Office of Disciplinary Counsel; Amy Holleman, Administrator; Norma McAllister, Program Assistant; Sharon Wolfe, Chief Investigator, Office of Investigations and Enforcement; and Eric Thompson, Program Director, Office of Investigations and Enforcement.

Members of the public attending the meeting: Donald C. Urquhart of The Evening Star, LLC, via teleconference

**A. Public Notice**

Mr. Russ 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.

**B. Pledge of Allegiance**

All in attendance recited the Pledge of Allegiance.

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

The Board members and staff attending the meeting introduced themselves.

**3. Approval of Excused Absences**

All Board members attended.

**4. Approval of Minutes for the September 20, 2017 board meeting**

Mr. Russ called for a motion to approve the minutes for the September 20, 2017 board meeting.

**MOTION**

Mr. Floyd made a motion to approve the minutes with the correction to list the name of the cemetery, 9B. 1. Memory Gardens. Mr. Riggins seconded the motion, which carried unanimously.

## 5. Chairman's Remarks – J. W. Russ

Mr. Russ did not have any remarks.

## 6. Administrator's Remarks – Amy Holleman

- A. Ms. Holleman presented the financial report, informing the Board that the cash balance at the end of August 2017 was -\$127,327.58. Ms. Holleman reminded the Board that the annual renewal period has started and will end on December 31, 2017, the date all licenses will lapse. The licensees have a grace period until January 31, 2018 to renew without penalties. After, January 31, 2017 the licenses will be required to pay the renewal fee in addition to a \$250.00 application fee.

Ms. Holleman entertained questions from the Board regarding its' current financial state. Ms. Holleman informed the Board that the total incoming revenue for FY 2017 was \$89,640.00, which included renewals, new applications, and other incoming revenue. Ms. Holleman explained the allocation of fines.

Ms. Holleman explained that when the Board was reseeded the administrative cost was much less, requiring only one staffer, resulting in the agency lowering the annual renewal fee to half of that allowed in statute. Through the years the Boards' legal, staff, investigative, and administrative fees have increased substantially. In addition, past administrations allowed bi-annual renewal, which allowed licensees to pay the cost of one year for two year licenses at a cost less than stated in statute. All these factors contributed to the current deficit.

The Board recently began charging the renewal fee listed in statute, which has provided some financial gain, but not sufficient to move the Board in the positive.

Ms. Holleman also stated that individuals/businesses opening new cemeteries, which have been extremely limited, would generate additional revenue.

## 7. Reports

- A. Inspection Report

Mr. Thompson informed the Board that Mr. Adams and Mr. Poole conducted 10 inspections between September 12, 2017 and November 6, 2017.

- B. Investigative Review Committee (IRC) Report – Sharon Wolfe

Ms. Wolfe asked the Board to review the IRC reports for October 11, 2017 and November 8, 2017. The recommendations are to dismiss case 2017-18, and to accept the following as formal complaint: 2017-16, 2017-17, 2017-3, 2017-6, 2017-7, 2017-8, 2017-9, 2017-11, 2017-12, and 2017-13.

Mr. Russ called for a motion to approve the IRC report for October 11, 2017.

### **MOTION**

Ms. McNicoll made a motion to approve the IRC recommendations. Mr. Floyd seconded the motion, which carried unanimously.

Ms. Holleman informed the Board that the November 8, 2017 recommendations were made at the absence of the professional member, who was unable to attend the meeting. Ms. League explained that the Board had the option to defer a motion on this matter to a later date.

Mr. Russ called for a disposition from the Board on this matter.

### **MOTION**

Mr. Floyd made a motion to approve the November 8, 2017 IRC recommendations. Ms. Petty seconded the motion, which carried unanimously.

Ms. Holleman asked the Board to consider a back-up IRC member.

C. Office of Investigations and Enforcement (OIE) Report – Sharon Wolfe

Ms. Wolfe stated the Office of Investigations and Enforcement (OIE), received 21 cases and closed 43 cases as of November 2017.

D. Office of Disciplinary (ODC) Counsel – Tina Brown

Ms. Brown presented the Office of Disciplinary Counsel (ODC) report as follows; five open cases; five pending action; and eight closed since January 1, 2017.

## **New Business**

### **8. 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. The Evening Star, LLC. – Greenwood, SC – Donald C. Urquhart

Mr. Urquhart appeared before the Board by conference call as a representative for The Evening Star, LLC. Ms. Mary B. Rice, notary, was present with Mr. Urquhart.

Mr. Urquhart asked the Board to approve the transfer of the Irrevocable Trust Account from Park Sterling Bank to Countybank Trust Services. Mr. Urquhart stated the appropriate amount has been trusted over the years of operation. The Board discussed the current trust agreement, and concluded that the 1956 agreement would require modification to reflect current statutes.

Ms. Holleman informed the Board that the Agreed Upon Procedures for The Evening Star, LLC are current.

Mr. Russ called for a motion regarding the disposition in this matter.

**MOTION**

Mr. Floyd made a motion to approve the transfer of the irrevocable trust account to Countybank Trust Services pending receipt and approval of the amended trust agreement. Ms. McNicoll seconded the motion, which carried unanimously.

The Board decided that Mr. Floyd and Board staff would review the amended trust agreement upon receipt, and if correct grant approval of the agreement and transfer of the trust.

### **9. Approval of Meeting Dates/Calendar for 2018**

The Board reviewed and discussed the proposed 2018 meeting dates. Mr. Russ called for a motion to approve the 2018 South Carolina Perpetual Care Cemetery meeting dates.

**MOTION**

Mr. Riggins made a motion to approve to the 2018 meeting dates as follows:

Wednesday, March 21, 2018 Room 108

Thursday, June 14, 2018 Room 108

Tuesday, September 18, 2018 Room 108

Wednesday, October 24, 2018 Room 108

Ms. Petty seconded the motion, which carried unanimously.

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

There were no public comments.

**14. Adjournment**

The Board members stated today's agenda did not include the yearly election. Ms. Holleman apologized for the omission and offered to schedule a special conference call for the elections. The Board agreed on November 27, 2017 for the election's conference call.

Ms. McNicoll informed the Board of her resignation as a public board member. Ms. McNicoll will be forwarding a copy of her resignation letter to the Administrator.

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

**MOTION**

Mr. Riggins made a motion to adjourn the meeting. Mr. Floyd seconded the motion, which carried unanimously.

Mr. Russ, after ensuring there being no further business to discuss, adjourned the November 9, 2017 meeting for the South Carolina Perpetual Care Cemetery Board at 10:58 a.m.

The next scheduled Board meetings for the South Carolina Perpetual Care Cemetery Board November 27, 2017 and March 21, 2018 at 10:00 a. m., at Synergy Business Park, 110 Centerview Drive, Kingstree Building, Room 108, Columbia, South Carolina.