

## MINUTES

South Carolina Funeral Board  
Board Meeting

10:00 a.m., August 21, 2003

Synergy Business Park

110 Centerview Drive, Kingstree Building, Room 108

Columbia, South Carolina

Bob Parks, President, of Charleston, called the regular meeting of the S.C. Funeral Board to order at 10:00 a.m. Other members present for the meeting included: Clarence Hampton, Vice President, of Seneca; A. P. Williams, III, Secretary/Treasurer, of Columbia; Edward Briggs, of Murrells Inlet; Terry Burnham, of Florence; John Hazzard, V, of Columbia; Greg Jones, of Greer; Carl Pennington, of Hartsville; Larry Strom, of Pelzer; Tony Tipton, of Greer; Penn Troy, of Mullins; and Mike Thornwell, of Ft. Mill.

Staff members participating during the meeting included Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Sandra Dickert, Administrative Assistant, Dwight Hayes, Administrator, and Bill Whitby, Investigator.

Members of the public attending the meeting included: Junior Fielding, Albert Glover, Lou Ann Pyatt, Moriah Rappold, Charles Sanders, Y. W. Scarborough, III, Ezekial Trezevant, Mark Vaugn, Atu Williams, and Tammy Williams.

### Meeting Called to Order

Mr. Parks announced that public notice of this meeting was properly posted at the S. C. Board of Funeral Service office, Synergy Business Park, Kingstree Building, Room 108 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 that a quorum was present.

### Invocation

Mr. Jones delivered the invocation.

### Pledge of Allegiance

All present recited the Pledge of Allegiance.

### Introduction of Board Members

The Board members, staff and members of the public introduced themselves.

### Approval of Minutes for the June 12, 2003 Meeting

#### MOTION

Mr. Hampton moved the minutes of the June 12, 2003 be approved as presented. Mr. Strom seconded the motion, which carried unanimously.

### President's Remarks - Bob Parks

Mr. Parks stated that the Governor's Office has not made the annual appointments the past two years. He believes that the agency would be able to work well with the cooperation of the Board members. He thanked the new members for their patience in being appointed to the Board.

Mr. Parks stated Ms. Dantzler has spoken about the antiquated laws governing the funeral industry. He went on to say that although South Carolina has been a model state much of what has been done has been modeled and complimented and has been used by many other states. He noted, however, that there are laws which date back to the 1950s and need changing.

Mr. Parks stated that due to the new composite of the Board the Board election of officers has been postponed to the October 2003 meeting.

#### Administrator's Remarks, For Information - Dwight Hayes

Mr. Hayes stated since the June 12, 2003 meeting staff has processed 14 routine changes of managers, licensed 14 new individuals as funeral directors, embalmers or dual licenses and has issued four new permits, which the Board previously approved. He further stated that the renewal process has gone relatively well. He indicated there are 12 funeral homes, 27 funeral directors, one embalmer and 35 dual licensees who have not renewed their licenses. He asked the Board to authorization of sending out cease and desist notices to those who have not renewed their licenses. He also stated that staff has conducted 38 inspections and attempted an additional 12 other inspections, however, no one was present at those facilities.

#### MOTION

Mr. Parks moved the Board direct staff to send cease and desist orders to those individuals and facilities that have not yet renewed. Mr. Hampton seconded the motion, which carried unanimously.

Mr. Parks stated that LLR has undergone a 47 percent budget cut. He thanked staff for their efforts.

#### 2004 Board Meeting Dates

Mr. Hayes presented the members with meeting dates for 2004.

#### Advisory Opinions, If Needed, Sharon Dantzler, Office of General Counsel

There were no advisory opinions given during the August 21, 2003 meeting.

#### Legislative Update, If Needed, Legislative Liaison Office

There was no legislative update given during the August 21, 2003 meeting.

#### Action Items

##### Unfinished Business

##### 1. Approval of Application - New Facility

##### a. Williams Funeral Home - Atu Williams, Manager

(This application is herewith attached and hereby becomes a permanent part of this record.)

Mr. Hayes suggested that the Board consider Mr. Williams' application in executive session.

## 2. Approval of Draft Regulations Regarding Crematories

Mr. Parks recognized Mr. Ezekial Trezevant who served on the committee drafting the crematory regulations.

During a discussion regarding the draft regulations it was noted that in 57-14.3(B) the number of cremation cases should read "fifty (50)". The Board also asked that language in Section 57-14.2(C) include the number of hours a retort is unavailable and how long a body can be maintained under appropriate refrigeration. This section would read:

"The cremation retort shall be in good working order at all times. If a retort is unavailable for any period exceeding 24 hours, the crematory shall refuse to accept any body until such time as the retort is work unless that body can be maintained under appropriate refrigeration as described in Subsection (E)."

(The proposed regulations, draft and approved, are herewith attached and hereby become a permanent part of this record.)

## MOTION

Mr. Parks moved the Board authorize staff to move forward with promulgating the regulations. The motion was seconded by Mr. Hampton. Mr. Parks amended the motion to include the language discussed. Mr. Hampton seconded the amendment, which carried unanimously.

## New Business

### 1. Atlantic Coast Life Insurance Company Pre-Need Product

Mr. Parks stated Mr. Ward Avinger, a former Board member, suggested that the Board hear a presentation given by Atlantic Coast Life Insurance Company on pre-need products. He noted that Atlantic Coast Life Insurance Company is a South Carolina based company.

Bill Scarborough, Charles Sanders, Moriah Rappold, and Mark Vaughn appeared before the Board at this time and made a presentation to the Board regarding their pre-need products.

### 2. Approval of Application - Additional Facility

#### a. B. L. Jenkins Memorial Chapels, Brendolyn Jenkins

(This application is herewith attached and hereby becomes a permanent part of this record.)

Brendolyn Jenkins appeared before the Board at this time.

Mr. Hayes stated the application is complete. He further stated there had been a matter concerning fraudulent checks, however, she has produced documentation that has resolved the issue.

#### MOTION

Mr. Hampton moved the Board discuss this matter in executive session. Mr. Jones seconded the motion, which carried unanimously.

### 3. Approval of Reinstatement Application

#### a. James Fielding

Mr. Fielding allowed his license to lapse approximately two years ago and has submitted an application for reinstatement. He has also submitted the appropriate fees and has completed the appropriate continuing education.

#### MOTION

Mr. Strom made a motion, seconded by Mr. Hampton and unanimously carried, that the application be approved.

#### Discussion Items

There were no discussion items to be discussed during the August 21, 2003 meeting.

#### Public Comments

There were no public comments made during the August 21, 2003 meeting.

#### Executive Session

#### MOTION

Mr. Strom moved the Board enter executive session. The motion was seconded by Mr. Troy and unanimously carried.

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

#### MOTION

Mr. Strom moved the Board return to public session. Mr. Tipton seconded the motion, which carried unanimously.

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

#### Williams Funeral Home - Atu Williams, Manager

Mr. Williams withdrew his application for the Board's consideration at this time.

#### B. L. Jenkins Memorial Chapels, Brendolyn Jenkins

#### MOTION

Mr. Strom made a motion, seconded by Mr. Hampton and unanimously carried, that the facility be approved pending inspection.

#### Dismissal Report

## MOTION

Mr. Jones moved the Board approve the Dismissal Report as presented by the IRC. Mr. Hampton seconded the motion, which carried with a majority vote. Mr. Strom and Mr. Hazzard voted nay.

## Adjournment

There being no further business to be brought before the Board at this time, the August 21, 2003 meeting adjourned at 1:10 p.m.