

SOUTH CAROLINA BOARD OF FUNERAL SERVICE MEETING

Synergy Business Park, Kingstree Building
110 Centerview Drive, Columbia, SC

MINUTES

T H U R S D A Y, DECEMBER 15, 2 0 0 5 – Room 108

Doug Garrett, President, of Greenville, called the regular meeting of the S.C. Board of Funeral Service to order at 9:10 a.m. Other members present for the meeting included: Billy Horton, of Kingstree; Tony Tipton, of Greer; Glen Crawford, of Lancaster; Stan Hamilton, of Ridge Spring; Carl Pennington of Hartsville; and Gerard Mikell, of North Charleston.

Greg Long, of Anderson, and Edward Briggs, of Murrell's Inlet, were each granted an excused absence. Todd Caughman, of Lexington, did not attend the meeting.

Staff members participating during the meeting included: Randall Bryant, Assistant Deputy Director; Barbara Foster, Program Assistant; Connie Huffstetler, Administrative Assistant; Jeanie Rose, Administrative Specialist; Tony Kennedy, Office of Investigations and Enforcement; Ernest Adams, Inspector; and Rick Wilson, Deputy General Counsel, LLR-Office of General Counsel.

Members of the public attending the meeting included: Samuel L Williams, Bartell's Funeral Home, LLC; Stephen D. Posey, Stephen D. Posey Funeral Home; Landis G. Price, Barr Price Funeral Home; Mike Squires, SCFDA; Lou Ann Pyatt, SCMA, Inc.; Julian Minghi, Funeral Consumers Alliance of SC; Gere B. Fulton, Funeral Consumers Alliance; and Wendi Pagaris, Free Times.

Meeting Called to Order by the President

Mr. Garrett announced that this meeting was being held in accordance with Section 30-4-80 of the S.C. Freedom of Information Act by notice mailed to The State Newspaper, Associated Press, and all other requesting persons, organizations or news media. In addition, notice has been posted on the bulletin board at the main entrance of the Kingstree Building.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Invocation

Mr. Tipton delivered the invocation.

Introduction of Members, Staff and Guests

The members, staff and guests introduced themselves.

Review of Minutes: October 20, 2005 Board Meeting

MOTION

Mr. Pennington moved to approve the minutes from the October 20, 2005 meeting. Mr. Mikell seconded the motion, which carried.

President's Remarks

Mr. Garrett welcomed everyone to the meeting. He stated that, as always, the Board would act to uphold the highest standards of the profession and in the best interest of the public in conducting the business to come before them.

Assistant Deputy Director's Remarks

Mr. Bryant commended the staff for their hard work in assisting the Board with the survey of General Price Lists. He also thanked Mr. Mikell and Mr. Pennington for their diligence in making sure the GPL's were reviewed and the necessary follow-up actions taken in cases where the GPL's were not properly submitted.

Change in Order of Agenda

MOTION

Mr. Horton noted the inclement weather and moved to amend the agenda to proceed with application hearings at this time, in order that the applicants may begin their travel back home before the weather deteriorated. Mr. Crawford seconded the motion and it carried.

New Business

Additional Facilities

Palmetto Cremation, LLC – Landis Price

Mr. Price appeared before the Board to request approval for a crematory, to be added to their facility in Leesville. He is currently the owner/manager of Barr Price Funeral Home

MOTION

Mr. Horton moved to approve the application for Palmetto Cremation, LLC, pending a satisfactory inspection. Mr. Hamilton seconded the motion and it carried.

*Stephen D. Posey Funeral Home Cremation Service and
Stephen D. Posey Funeral Home, Aiken – Stephen D. Posey*

Mr. Posey appeared before the Board to request approval for a crematory to be added to the funeral home in North Augusta and for an additional funeral home to be located in Aiken.

MOTION

Mr. Pennington moved to approve Mr. Posey's applications for a crematory in North Augusta and an additional facility in Aiken, pending inspections. Mr. Hamilton seconded the motion, which carried.

Bartell's Funeral Home, LLC – Samuel L. Williams

Mr. Williams appeared before the Board to request approval for an additional facility to be located in Dillon.

MOTION

Mr. Crawford moved to approve the application for an additional facility, pending a satisfactory inspection. Mr. Mikell seconded the motion, which carried.

Investigative Report

Mr. Kennedy presented the IRC report to the members. There are 14 cases under investigation, with two cases pending hearings.

Cases for Dismissal

MOTION

Mr. Mikell moved to accept the IRC recommendation regarding cases to be dismissed. Mr. Crawford seconded the motion, which carried.

Consent Order

Mr. Kennedy presented a consent order in the matter of McKenzie Funeral Home - Howard McKenzie, Manager. Mr. Wilson stated that the Board had approved the consent order at the October meeting and that it now needed Mr. Garrett's signature.

New Business

Funeral Consumers Alliance, Inc. – Gere B. Fulton, Ph.D., J.D.

Dr. Fulton addressed the members regarding deficiencies in the General Price Lists provided by some funeral homes, and the failure of other facilities to provide one at all. Dr. Fulton noted the reports previously presented to the Board by the Funeral Consumers Alliance, and expressed his continuing concern. The members advised Dr. Fulton of the work done by the staff and Board members in recent months in regards to General Price Lists. They noted their review of the GPL's to ensure that FTC requirements are met. Dr. Fulton stated that the FTC requirements are minimum requirements, and suggested that perhaps the Board should consider implementing a higher standard.

Unfinished Business

Report on Review of General Price Lists

Mr. Mikell noted that price lists had been received from 516 firms. All of these price lists were reviewed by the members to ensure compliance with the Federal Trade Commission's Funeral Rule. Those not in compliance were sent back for corrections.

Inspections Report

The members were presented with the inspections report, for their information.

Committee Reports

Legislative Committee

Mr. Long was not present to report on the Legislative Committee.

Newsletter Committee

Mr. Tipton updated the members on the status of the newsletter.

Continuing Education Committee

Mr. Pennington stated there was nothing to report from the Continuing Education Committee.

State Law Exam Committee

Mr. Mikell gave a brief report on the State Law Exam.

Discussion Items

There were no discussion items for the December 15, 2005 meeting.

Public Comments

There were no public comments during the December 15, 2005 meeting.

Executive Session

MOTION

Mr. Hamilton moved to enter Executive Session to discuss legal matters. Mr. Pennington seconded the motion, which carried.

Return to Public Session

MOTION

Mr. Horton moved to return to Public Session. Mr. Hamilton seconded the motion, which carried.

Mr. Garrett stated for the record that no motions were made and no votes were taken during Executive Session.

Adjournment

MOTION

There being no further business, Mr. Pennington made a motion to adjourn. Mr. Crawford seconded the motion, which carried.