

MINUTES
South Carolina Board of Funeral Service
Conference Call Meeting
10:00 a.m., December 14, 2006
Synergy Business Park
110 Centerview Drive, Kingtree Building, Room 108
Columbia, South Carolina

Mr. Garrett announced that public notice of this meeting was properly posted at the S. C. Board of Funeral Service office, Synergy Business Park, Kingtree 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.

Meeting Called to Order

Doug Garrett, President, of Greenville, called the regular meeting of the S.C. Board of Funeral Service to order at 10:00 a.m. Other members present for the meeting included: Edward Briggs, Secretary/Treasurer, of Murrells Inlet; Glen Crawford, of Lancaster; Stan Hamilton, of Ridge Spring; Billy Horton, of Kingtree; Gerard Mikell, of North Charleston; Carl Pennington, of Hartsville; and Tony Tipton, of Greer.

Staff members participating during the meeting included: Ernest Adams, Inspector; Randall Bryant, Assistant Deputy Director; Sandra Dickert, Administrative Assistant; Barbara Foster, Program Assistant; Jeanie Rose, Administrative Assistant and; and Rick Wilson, Deputy General Counsel, LLR-Office of General Counsel.

Members of the public attending the meeting included: Kip Kiser, Israel Koger, Terry Lanford and Lou Ann Pyatt.

Approval of Excused Absences

Mr. Todd Caughman was unable to attend the meeting due to a death call.

MOTION

Mr. Hamilton moved the Board approve Mr. Caughman's absence. Mr. Crawford seconded the motion, which carried unanimously.

Approval of Minutes for the October 5, 2006 Meeting

Mr. Horton noted that Mr. Tipton was listed as being present for the meeting. However Mr. Tipton was absent and was granted an excused absence.

MOTION

Mr. Crawford made a motion seconded by Mr. Mikell and unanimously carried that the minutes of the October 5, 2006 meeting be approved as amended and received as information.

Committee Reports

1. Legislative Committee – Gerard Mikell, Stan Hamilton and Tony Tipton
Mr. Mikell stated the committee is making the following recommendations.

1. Caskets – change from six (6) caskets to six (6) caskets/modular units. Facilities must have six (6) caskets in inventory.

Mr. Briggs stated there are funeral homes across the country which do not use selection rooms for caskets; however, they use merchandisers, kiosks and laptop computers. He wondered why six caskets are required.

Mr. Mikell stated that some older individuals do not want the facilities to do away with the caskets and may not want to utilize the merchandising businesses and kiosks.

Mr. Briggs stated the Murrells Inlet chapel does not have a selection room or a prep room and only uses the facility for an occasional service. He further stated the six caskets are available at the main facility. This arrangement was felt to be in compliance with law.

2. Chapel – minimum seating requirements of 75 for new facilities and/or improvements to existing facilities.

Mr. Mikell stated existing buildings would be grandfathered. He further stated improvements or physical improvements to a prep room would not require modifications to the chapel; however, if a facility plans to modify more than the prep room, modifications to the chapel must be completed.

Mr. Bryant stated some legislators may see this as a way for existing businesses to limit competition.

3. Apprenticeship – one (1) year minimum, 50 cases total, two (2) years max – must reapply after two (2) years.

A brief discussion ensued. The Board agreed that after two years the apprentices must reapply for one year increments.

4. Full time employee of firm where registered.

The regulations indicated a full time employee would work 35 hours a week. The Board asked that the number of hours for a full time employee be stricken.

5. Centralized embalming facilities – casket stores –distinguish permit numbers.

Mr. Mikell stated that there has been a problem with facilities and their designations. He went on to say facilities have a number, however, the committee feels a prefix should be assigned to distinguish between centralized embalming facilities, casket stores and funeral homes.

Mr. Bryant stated he feels this is something that could be handled administratively.

6. Modify 57-10(B)4 to add 'backflow preventor valve' and add 'motorized hearse'.

Mr. Hamilton asked Mr. Adams if a backflow preventor valve is needed if the facility has an electric aspirator. Mr. Adams replied negatively.

Mr. Kip Kiser stated he thinks the backflow preventor needs to be on the water supply going into the prep room. He went on to say the waste that goes into the receptacle off of the embalming table also has the possibility of going back into the water supply.

7. Increase prep room dimension to 12 x 12.

A brief discussion ensued. No change was made to the recommendation at this time.

MOTION

Mr. Mikell moved the Board accept the minutes as the committee's report. Mr. Hamilton seconded the motion, which carried unanimously.

MOTION

Mr. Mikell moved the recommendations be accepted and forwarded to general counsel for drafting as amendments to the regulations. The motion was seconded by Mr. Crawford.

Mr. Bryant suggested the Board provide this information to the Director's Office and the Governor's Office for their review and recommendations. He stated staff would report to the Board the comments of the Director and the Governor.

Mr. Wilson stated he would like for the Board to review and approve the draft language prior to distribution to the Director and the Governor. He went on to say the legislative review process would begin after internal review. He said the draft regulations would then be entered into the State Register for a minimum of sixty days and if a hearing before the Administrative Law Division is not requested, then the draft regulations would go directly to the legislature. He noted the draft regulations would not go before the legislature any sooner than the second Tuesday in January 2008. He said the Board should be in full agreement with the draft regulations prior to submittal to the Director and Governor.

New Business

1. Approval of Consent Order

Mr. Bryant briefed the Board in regard to a proposed consent order concerning James Dunbar.

The Board entered a lengthy discussion regarding the proposed consent order and a counter proposal that might be acceptable to the Board.

MOTION

Mr. Tipton moved Mr. Dunbar be fined \$2,000 and that his license be placed in probationary status for two years. Mr. Mikell seconded the motion, which carried unanimously.

2. Approval of New Facilities

a. *T. G. Lanford Funeral Home, Terry Glenn Lanford, Manager*

On November 3, 2006 the Board received a new facility application from Terry G. Lanford. Mr. Lanford is currently dually licensed and has no criminal history. He lives approximately five miles from the facility.

Terry Glenn Lanford attended this meeting. Mr. Lanford stated the funeral home is a limited liability company (LLC); however, he has not provided the appropriate documentation. He further stated the facility's hours would be from 8:00 a.m. to 5:00 p.m. Monday through Friday. He noted the facility meets all of the local zoning codes.

MOTION

Mr. Mikell made a motion, seconded by Mr. Horton and unanimously carried, that the Board approve the application pending final inspection and receipt of the LLC documentation.

b. *Koger's Mortuary Service, Israel Miguel Koger, Manager*

On November 29, 2006 the Board received a new facility application from Israel Koger. Mr. Koger holds a dual license, which is current through June 2008. He has no criminal history and he lives approximately one mile from the facility.

Israel Miguel Koger attended this meeting. He stated he is renovating an existing facility, which is approximately 1,500 square feet and that the embalming room is 14 x 14 square feet. He noted the facility meets all local zoning codes.

MOTION

Mr. Mikell moved the Board approve the application pending final inspection. Mr. Pennington seconded the motion, which carried unanimously.

Adjournment

MOTION

Mr. Pennington made a motion, seconded by Mr. Crawford and unanimously carried, that the meeting be adjourned.

The December 14, 2006 meeting of the SC Board of Funeral Service adjourned at 11:20 a.m.