

MINUTES
South Carolina Board of Funeral Service
Board Meeting
10:00 a.m., October 18, 2007
Piedmont Technical College
James C. Self Conference Center Room 102-C
620 North Emerald Road
Greenwood, South Carolina

Gerard 'Skip' Mikell, chairman, of North Charleston called the meeting to order at 10:03 a.m. Other members present for the meeting included: Gloria Vessels, Secretary/Treasurer, of Anderson; Glen Crawford, of Lancaster; Homer Elwood, of Laurens; Kip Kiser, of Cheraw; Jimmy McAlister, of Charleston.

Staff members participating in the meeting included: Ernest Adams, Inspector; Doris Cubitt, Administrator; Sandra Dickert, Administrative Assistant; Wendi Elrod, Administrative Specialist; Tony Kennedy, Investigator, OIE; Jeanie Rose, Administrative Specialist; and Sheridan Spoon, Associate General Counsel.

Members of the public attending the meeting included: Cynthia Cisco, Alicia Clark, Danny Collins, Charles Foster, Dedrick Gantt, Alberta George, Timothy George, Danny Gibson, Joshua Gordon, Brian Hall, Margaret Ann Horton, Lisa Huffman, Earl Kenhickey, Terry Glenn Lanford, David Martin, Chardale Murray, Charlie Murray, Aljanon Myers, Greg Rollings, Taylor Searles, Randy Small, Mike Squires, Barbara Tompkins, Caroline White, Felicia Woods, and Lester Woods.

Meeting Called to Order

Mr. Mikell announced that public notice of this meeting was properly posted at the S. C. Board of Funeral Service 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.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Invocation

Mr. McAlister delivered the invocation.

Introduction of Board Members and Persons Attending the Meeting

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

Approval of Excused Absences

Mr. Caughman, Mr. Horton, and Mr. Tipton were granted excused absences.

Mr. Genoble had an unexcused absence from the meeting.

Approval of Minutes for the August 30, 2007 Meeting and the September 26, 2007 Conference Call Meeting Minutes

MOTION

Mr. McAlister moved the Board approve the minutes of the August 30, 2007 meeting. Mr. Crawford seconded the motion, which carried unanimously.

MOTION

Mr. Elwood made a motion, seconded by Mr. McAlister and unanimously carried, the Board approve the September 26, 2007 conference call minutes as presented.

President's Remarks – Gerard 'Skip' Mikell

Mr. Mikell thanked the faculty for inviting the Board to meet at this facility. He stated the Board is established for licensing individuals and facilities and protecting the public.

Administrator's Remarks – Doris Cubitt

Mrs. Cubitt thanked Piedmont Tech for having the Board meeting at their facility.

Mrs. Cubitt stated the Annual Meeting of the ICFSEB will be held February 28-29, 2008 in San Antonio, Texas. She will try to attend the conference. She went on to say the conference has sent information for applicants to review and download forms to take the exam.

Mrs. Cubitt asked the Board when a funeral home needs to apply for a permit. Discussion ensued.

Bud Marchant, Vice President of Educational Affairs, Piedmont Tech

Mr. Marchant introduced David Martin, Dedrick Gantt, and Susan Timmons.

Disciplinary Reports

1. Investigative Review Committee (IRC) Report/Consent Orders – Tony Kennedy and Ernest Adams

Mr. Kennedy stated there are cases to go before the IRC; however, the committee has not yet met.

- a. *Approval of Consent Agreement – Case #2007-008*

MOTION

Mr. McAlister moved the Board accept the consent agreement regarding case #2007-008 as presented. Mr. Crawford seconded the motion, which carried unanimously.

2. Inspections Report – Ernest Adams

Mr. Adams briefed the Board on the Inspections Report.

Mr. Adams has inspected 54 funeral homes and six crematories since the last Board meeting.

3. Number of Open Complaints

Mr. Kennedy stated OIE currently has 22 open complaints pertaining to the Board of Funeral Service.

Committee Reports

1. Legislative Committee – Kip Kiser, Tom Genoble, Sheridan Spoon

Mr. Kiser stated the discussion topics will cover the committee report.

2. Examination/CEU/Education – Gloria Vessels, Todd Caughman, Glen Crawford, Skip Mikell, Ernest Adams

This committee had no report.

3. Regulatory Compliance (Federal and State) / FTC / OSHA / ADA / PreNeed – James McAlister, Billy Horton, Tom Genoble, Doris Cubitt

This committee had no report.

4. Publications / Newsletter / Website – Tony Tipton, Glen Crawford, Sandra Dickert

This committee had no report.

New Business

1. New Facility

a. *Mahaffey Funeral Home & Cremation Center, Margaret Ann Horton, Manager*

Ms. Horton appeared before the Board to answer questions regarding the application submitted for a new facility.

This matter was recorded by a court report in order that a verbatim transcript could be produced should one be necessary.

MOTION

Mr. Kiser moved the Board approve the application for Mahaffey Funeral Home & Cremation Center. Mr. McAlister seconded the motion, which carried unanimously.

b. *Bass-Cauthen Funeral Home, Danny Ray Gibson, Manager*

Mr. Gibson appeared before the Board to answer questions regarding the application submitted for a new facility.

This matter was recorded by a court reporter in order that a verbatim transcript could be produced should one be necessary.

MOTION

Mr. Crawford made a motion, seconded by Mr. Elwood and unanimously carried, that the Board accept the application.

c. *Gordon Mortuary, Joshua Adam Gordon, Manager*

Joshua Gordon appeared before the Board to answer question in regard to an application submitted for a new facility.

This matter was recorded by a court reporter in order that a verbatim transcript could be produced should one be necessary.

MOTION

Mr. Crawford made a motion, seconded by Mrs. Vessels and unanimously carried, that the Board approve the new facility application.

d. T. G. Lanford Funeral Home, LLC, Terry Glen Lanford, Manager

Mr. Lanford appeared before the Board to answer questions regarding a new facility he is building following a fire that destroyed the building in which the facility was located.

This matter was recorded by a court reporter in order that a verbatim transcript could be produced should one be necessary.

MOTION

Mr. Kiser moved the Board accept the application. Mr. Crawford seconded the motion, which carried unanimously.

Executive Session

MOTION

Mr. McAlister made a motion, seconded by Mr. Crawford and unanimously carried, that the Board enter executive session to seek legal advice.

Return to Public Session

Mr. Mikell noted for the record that no motions were offered or made during executive session.

2. Additional Facility

a. Murray's Mortuary – Chardale R. Murray, Manager

Chardale Murray appeared before the Board to answer questions in regard to an application submitted for an additional facility.

This matter was recorded by a court reporter in order that a verbatim transcript could be produced should one be necessary.

MOTION

Mr. Kiser moved the application be tabled until such time that staff investigates and clarifies the application. Mr. Crawford seconded the motion, which carried unanimously.

b. M. L. Ford & Sons, Inc., M. Brian Hall, III, Manager

Mr. Hall appeared before the Board to answer questions in regard to an application submitted for an additional facility.

This matter was recorded by a court reporter in order that a verbatim transcript could be produced should one be necessary.

MOTION

Mr. Elwood made a motion, seconded by Mrs. Vessels and unanimously carried, the Board approve the application pending inspection.

3. **Reinstatement**

a. *Randy Small – FD License #1815*

Mr. Small appeared before the Board to answer questions in regard to a reinstatement application.

This matter was recorded by a court reporter in order that a verbatim transcript could be produced should one be necessary.

MOTION

Mr. Crawford moved the Board approve Mr. Small's reinstatement. Mr. Elwood seconded the motion, which carried unanimously.

4. **Approval of Mortuary School Student**

a. *Felicia Woods (criminal background and judgment)*

Mrs. Felicia Woods appeared before the Board to answer questions regarding her criminal history as well as her credit history.

This matter was recorded by a court reporter in order that a verbatim transcript could be produced should one be necessary.

MOTION

Mr. Crawford made a motion, seconded by Mrs. Vessels and unanimously carried, that the Board accept Mrs. Woods' student hours.

Recess

The Board recessed for lunch at 12:00 p.m. and returned to public session at 1:03 p.m.

Return to Public Session

Discussion Topics

1. **Legislative Issues**

a. *Modification of Regulation Regarding Caskets*

b. *Written Requirements for Funeral Establishments*

The Board reviewed and discussed the requirements for the preparation room, chapel, facility and equipment, and a modification of the regulation regarding caskets.

MOTION

Mr. Kiser moved the Board accept the document as a policy and requested staff begin the process of inserting the language into the regulations. Mr. McAlister seconded the motion, which carried unanimously.

2. Discussion on Policy Regarding Standardized Consent Agreements

The Board reviewed a document regarding Guidelines for Assessing Civil Fines/Sanctions.

The Board recommended that the second offense for not notifying the Board of change in manager should include a \$1,000.00 fine and four years of probation.

MOTION

Mr. Kiser moved the Board adopt the amended guidelines as policy. Mr. Crawford seconded the motion.

3. Discussion on Policy Regarding Timelines for Renewals and Continuing Education

Mrs. Cubitt presented the members with a time line for renewals and continuing education. She stated a \$60 late fee is included for individuals who renew 30 days late. She went on to say when an individual renews 60 days late the individual must enter a consent agreement that includes a \$500.00 fine plus renewal fee with the \$60.00 late penalty.

MOTION

Mr. Crawford made a motion, seconded by Mr. McAlister and unanimously carried, the Board adopt as policy.

The Board discussed a fine violation schedule.

MOTION

Mr. Kiser moved the Board adopt the fine violation schedule as amended as policy. Mr. McAlister seconded the motion, which carried unanimously.

4. Discussion on Policy Regarding Crematory Licenses

The Board will discuss this matter at a later date.

5. Discussion on Policy for Guidelines on Apprenticeship

The Board determined the wording in number nine should be modified and corrections should be made to item #1 and to item #6.

MOTION

Mr. Elwood made a motion, seconded by Mr. Kiser and unanimously carried, the Board accept as policy with corrections.

5. Approval of 2008 Proposed Board Meeting Dates

The Board reviewed the following proposed meeting dates.

February 21, 2008	April 17, 2008	June 3, 2008
August 28, 2008	October 23, 2008	December 18, 2008

MOTION

Mr. McAlister made a motion, seconded by Mr. Crawford and unanimously carried, that the Board approve the proposed meeting dates.

Public Comments

There were no public comments made during the October 18, 2007 meeting.

Adjournment**MOTION**

Mr. Crawford moved the meeting be adjourned. Mr. McAlister seconded the motion, which carried unanimously.

The October 18, 2007 meeting of the SC Board of Funeral Service adjourned at 2:23 p.m.