

MINUTES
South Carolina Board of Funeral Service
Board Meeting

10:00 a.m. Monday, March 7, 2016
Synergy Business Park
110 Centerview Drive, Kingtree Building Room 108
Columbia, South Carolina

Monday, March 7, 2016

1. Meeting Called to Order

William B. Horton, Jr., President, of Kingtree, called the regular meeting of the SC Board of Funeral Service to order at 10:02 a.m. Other Board members present for the meeting included: Eddie Nelson, Vice President, of Blythewood; Jeffrey K. Temples, Secretary, of Columbia; Michelle Cooper, of Moncks Corner; Wallace McKnight, Jr., of Andrews, D'Michelle P. DuPre, of Chapin; Stephen R. Gantt, of Greenwood; Charvis K. Gray, of Piedmont; S. Lee McMillan, Jr., of Myrtle Beach; and Mark R. O'Steen, of Spartanburg.

Staff members participating in the meeting included: Donnell Jennings, Advice Counsel, Office of Advice Counsel; Amy Holleman, Administrator; Monaca Harrelson, Administrative Assistant; Ernest Adams, Inspector, Office of Investigations and Enforcement; and Buddy Poole, Inspector, Office of Investigations and Enforcement;.

Members of the public attending the meeting included: James Copeland of South Carolina Department of Consumer Affairs (SCDCA), Elizabeth Simmons, of the SC Morticians Association (SCMA), Randall Hiller, Attorney, Adolphus Howard of Westville Funerals, and Jennifer Glenn and William Sullivan of Sullivan Brothers Mortuary.

A. Public Notice

Mr. Horton announced that public notice of this meeting was properly posted at the SC 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.

B. Pledge of Allegiance

All present recited the Pledge of Allegiance.

2. Introduction of Board Members and Persons Attending the Meeting

The Board members, staff, and all other persons attending the meeting introduced themselves.

3. Approval of Excused Absences

There were no absences.

4. Approval of Minutes for the February 17, 2016 board meeting

MOTION

Mr. Horton called for a motion to approve the minutes from the February 17, 2016, board meeting. Mr. O'Steen made a motion to approve the minutes, Mr. Gantt seconded the motion, which carried unanimously.

5. President's Remarks – Billy Horton

Mr. Horton welcomed everyone.

Mr. Horton then suggested rescheduling the April meeting to April 29 instead of April 7 in order to avoid much higher than normal hotel rates.

MOTION

Mr. McMillan made a motion to reschedule the next meeting to April 29, Mr. McKnight seconded the motion, which carried unanimously.

6. Administrator's Remarks – Amy Holleman

Ms. Holleman reported on the informative International Conference she just attended. Mr. Horton inquired as to any legislation affecting funeral services; Ms. Holleman said she would provide the Board with updates.

Old Business

7. Application Hearings – Additional Facility Application

This proceeding was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

1. Cremation Society of SC – Westville Funerals, LLC

Mr. Hiller spoke on behalf of Adolphus C. Howard and Cremation Society of SC – Westville Funerals, LLC and provided the Board with their previously requested information. Simply Cremation, LLC now has only one member, Adam Taylor. Graceland-Westville Funerals & Cremations, LLC now has only one member, Simply Cremation, LLC. Cremation Society of SC-Westville Funerals, LLC has two members, Graceland-Westville Funerals and Cremations, LLC and Adolphus C. Howard, III. Mr. Howard has been appointed manager and as such may make any binding business decisions. Mr. Howard is currently licensed as a funeral director/embalmer, does not have a criminal background, and lives three miles from the funeral home. The owner of the property is Simply Cremation, LLC and a copy of the deed has been provided. Pre-need contracts will not be offered at the facility.

MOTION

Mr. Horton called for a motion to go into Executive Session to receive legal advice. Mr. Nelson made the motion, Mr. O'Steen seconded, and the motion was passed unanimously.

Return to Public Session

MOTION

Mr. Temples made a motion that the Board return to public session. Mr. McMillan seconded the motion, which carried unanimously.

Mr. Horton stated, for the record, that no votes were taken during executive session.

MOTION

Mr. McMillan made a motion to approve the additional facility application with Mr. Howard as manager. Mr. O'Steen seconded. The motion passed with Messers. Nelson and Temples dissenting.

New Business

8. Apprentice Application

This proceeding was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

1. Jennifer Glenn

Ms. Holleman noted that staff could not approve Ms. Glenn's application because her apprenticeship expired in 2006, although she has remained in the funeral business as an office manager for Sullivan Brothers Mortuary since 2003.

MOTION

Mr. Horton called for a motion to go into Executive Session to receive legal advice. Mr. O'Steen made the motion, Mr. McMillan seconded, and the motion was passed unanimously.

Return to Public Session

MOTION

Mr. Nelson made a motion that the Board return to public session. Mr. Petty seconded the motion, which carried unanimously.

Mr. Horton stated, for the record, that no votes were taken during executive session.

MOTION

Mr. Temples made a motion to approve Ms. Glenn's application pending her serving six months as an apprentice and timely filing her Quarterly Reports. Ms. Glenn would need to complete 24 cases, with 12 of those cases containing the main components, listed as A, F, G, and H on the Quarterly Reporting Form. Her six months would start when she has all of her application materials in and is issued an apprentice license. Mr. O'Steen seconded, and the motion was passed unanimously.

9. Funeral Home Change of Manager

Representatives from Goins Funeral Home were not in attendance. Goins Funeral Home had previously been granted two one-month extensions to find a new funeral home manager. That extension ends on March 10, 2016.

MOTION

Mr. Nelson made a motion to issue a Cease and Desist Order to Goins Funeral Home if it is not in compliance with all licensing requirements by March 10, 2016. Mr. Temples seconded and the motion was passed unanimously.

10. Executive Session

MOTION

Mr. Horton called for a motion to go into Executive Session to receive legal advice. Dr. DuPre made the motion, Mr. McKnight seconded, and the motion was passed unanimously.

Return to Public Session

MOTION

Mr. O'Steen made a motion that the Board return to public session. Dr. DuPre seconded the motion, which carried unanimously.

Mr. Horton stated, for the record, that no votes were taken during executive session.

Ms. Cooper suggested to delegate signing authority to the Administrator to approve an applicant with unpaid judgements as long as the debt does not involve a funeral home and/or crematory or public trust. Judgements involving a funeral home and/or crematory or public trust must be brought before the Board for approval.

MOTION

Dr. DuPre made a motion, Mr. McMillan seconded the motion, and it carried unanimously.

Mr. Jennings proposed that the Administrator has the authority to grant one (1) thirty (30) day extension to a funeral home searching for a new manager if the funeral home has not been able to find a new manager within the thirty (30) day period allowed in statute and regulations and is able to show proof that

they have been actively searching for a new manager. If the funeral home does not submit an application for a change of manager at the end of the sixty (60) day period, the Administrator has the authority to immediately issue a Cease and Desist Order

MOTION

Dr. DuPre made a motion, Mr. Nelson seconded the motion, and it carried unanimously.

11. Public Comments (no votes taken)

There were no public comments

12. Adjournment

MOTION

Mr. Petty made a motion the Board adjourn. Mr. McMillan seconded the motion, which carried unanimously.

The February 17, 2016, meeting of the SC Board of Funeral Service adjourned at 11:55 a.m.

The next meeting of the SC Board of Funeral Service is scheduled for April 29, 2016.