

MINUTES
South Carolina State Board of Funeral Service
Board Meeting

10:00 a.m., October 12, 2023
Synergy Business Park
110 Centerview Drive, Kingstree Building
LowCountry Conference Room
Columbia, South Carolina

Thursday, October 12, 2023

Meeting Called to Order

Thoma L. Williams, President, of Sumter, called the meeting of the South Carolina State Board of Funeral Service to order on October 12, 2023, at 10:06 a.m.

A. Public Notice

Mrs. Williams announced that public notice of this meeting was properly posted at the South Carolina State 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. The meeting will be held via video and teleconference.

B. Pledge of Allegiance

All present recited the Pledge of Allegiance.

2. Approval of the Agenda

Ms. Williams called for a motion to approve the agenda.

MOTION: Mr. Hodge made a motion, seconded by Mr. Dickerson, which carried unanimously that the Board approves today's agenda.

3. Introduction of Board Members and Staff Attending the Meeting

The board members and staff attending the meeting introduced themselves.

Board Members Present:

Thoma L. Williams, President, of Sumter
James P. Hodge, of Anderson
Gregory Evans, Vice-President, of Newberry
Michelle A. Cooper, of Moncks Corner
Darryl Dickerson, of Goose Creek
Dr. D'Michelle P. DuPre, of Chapin
Landis D. Price, II, of Leesville
Thomas J. Wright, Secretary/Treasurer, of Beaufort
Stoney W. Bachman, of Norway
William E. Taylor, of Sumter

SCDLLR Staff Present:

Donnell Jennings, Esq., Legal Services, Director of the Office of Investigations and Enforcement
Kyle Tennis, Esq., Advice Counsel, Legal Services, Office of Advice Counsel
Alexis Bell, Esq., Disciplinary Counsel, Legal Services, Office of Disciplinary Counsel
Maggie Murdock, Program Manager
Amy Holleman, Board Executive
Norma McAllister, Program Coordinator
Shamone Breazeale, Administrative Assistant
Robert Dean, Lead Investigator, Legal Services - Investigations and Enforcement
Jennifer Stillwell, Lead Inspector, Legal Services, Investigations, and Enforcement
Matalie Mickens, Inspector, Legal Services - Investigations and Enforcement
William “Buddy” Poole, Inspector, Legal Services - Investigations and Enforcement
Meredith Buttler, Program Manager
Byron Ray, OIE
Tori Smith, OIE

Members of the Public:

Brianna Robinson
Gloria Vessels
Jim Copeland
David Harris
Greg Arnold
Peggy Burgess
Jason Johnson
Jeffrey McWatters
Cal Land, Esq.

4. Board Members Not in Attendance

Mr. Wayne Pratt, Sr. was not in attendance.

MOTION: Ms. Cooper made a motion, seconded by Mr. Taylor, which carried unanimously that the Board approves Mr. Pratt’s absence.

5. Approval of Excused Absences for IRC members

Ms. Elizabeth Simmons was not in attendance for the IRC meeting.

MOTION: Ms. Cooper made a motion, seconded by Mr. Price, which passed unanimously to approve Ms. Simmons’ absence.

6. Approval of Minutes from the August 30 & 31, 2023 meetings

The Board reviewed the minutes.

MOTION: Dr. DuPre made a motion, seconded by Ms. Cooper, which passed unanimously to approve the minutes for both August dates.

7. President’s Remarks – Thoma L. Williams

Ms. Williams welcomed everyone.

8. Presentation of Service Plaque

- 1. Eddie J. Nelson

The Board presented Mr. Nelson with his service award plaque commemorating his years of service with the Board.

9. Administrator’s Remarks – Amy Holleman

A. Financial Report

Ms. Holleman reported that the Board’s cash balance as of August 31, 2023 was \$-186,157.01.

B. Updates – Funeral Establishments

Funeral Establishment **Change of Managers**

FE#	Name of Funeral Establishment (FE) -location	Name of Former Manager		Name of New Manager		Effective Date
319	J W Woodard Funeral Home	K.E. Woodard	FD.1674	THOMAS EDWARD MASSEY JR	FD.2771	11/21/2023
487	BOSTICK-TOMPKINSFUNERAL HOME	DAVID EDWARD TOMPKINS SR	FDE.2762	RODNICK SHELL	FD.3974	11/09/2023

Ms. Holleman informed the Board that since June 29, 2023, staff issued:

<u>Apprentice Certificates</u>			<u>Student Certificates</u>			<u>Licenses</u>		
FDE	FD	EMB	FDE	FD	EMB	FDE	FD	EMB
5	7	3	1	0	0	9	6	0

10. Reports

A. Inspection Report – Matalie Mickens

Ms. Mickens and Mr. Poole conducted 70 inspections from August 18, 2023, to October 2, 2023.

B. Investigative Review Committee (IRC) Report

Mr. Dean presented the following IRC recommendations to the Board: 6 cases for dismissal, 2 cases for a formal complaint, and 1 for a letter of caution.

Mrs. Williams called for a motion in this matter.

MOTION: Mr. Price made a motion, seconded by Mr. Dickerson, to approve the IRC recommendations. The motion carried unanimously.

C. Office of Investigations and Enforcement (OIE) Report

Mr. Dean presented the report stating that the Office of Investigation and Enforcement received 82 complaints between January 2, 2023, and August 21, 2023. There were twenty-three (23) active investigations; six (6) pending IRC; fourteen (14) closed; eighteen (18) do not open; ten (10) pending further review/information; and eleven (11) pending legal/agreements.

D. Office of Disciplinary Counsel (ODC) Report

Ms. Bell presented the ODC report to the Board stating that as of August 24, 2023, there were thirty-nine (39) open cases; thirty-five (35) pending hearings and agreements; and eight (8) closed. One appeal that was at the Court of Appeals was dismissed by the Court; thus leaving in place the ALC’s affirmation of the Board’s decision.

Applications

Application Hearings

11. Funeral Establishment

These proceedings were recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

A. New Funeral Home

1. Clarendon Funeral Home LLC- Summerton- Jason Latroy Johnson

Mr. Jason Latroy Johnson and Ms. Peggy Burgess appeared before the Board on behalf of Clarendon Funeral Home LLC. The applicant was represented by Cal Land, Esq.

Ms. Holleman informed the Board that the application is complete and that the applicant asking that the Board approve the new facility application with Jason Latroy Johnson as the proposed manager.

MOTION: Mr. Price made a motion, seconded by Ms. Cooper, which carried unanimously that the Board approves the new facility with Mr. Johnson as manager pending passing the final inspection.

B. Change of Ownership

1. Robinson-Walker Funeral Service- Ware Shoals- Brianna Danielle Robinson

Ms. Gloria Walker Vessells and Ms. Brianna Danielle Robinson appeared before the Board on behalf of Robinson-Walker Funeral Service. They were not represented.

Ms. Holleman informed the Board that the application is complete and they are asking that the Board approve the change of ownership of Robinson-Walker Funeral Home and Brianna Danielle Robinson as the proposed manager.

MOTION: Mr. Dickerson made a motion, seconded by Ms. Cooper, which carried unanimously that the Board approves change of ownership with Brianna Danielle Robinson as the proposed manager and the facility retaining the license number pending final inspection.

[Mr. Wright has recused himself from hearing the remainder of the application hearings on the agenda.]

[The next 3 application hearings were heard together.]

2. Palmetto Funeral Home & Cremation Service- Fort Mill- Gregory Dale Arnold

3. Palmetto Funeral Home & Cremation Service- Indian Land- Gregory Dale Arnold

4. Palmetto Crematory of Fort Mill- Fort Mill-Gregory Dale Arnold

Mr. Gregory Dale Arnold and Mr. Kyle Nikola appeared before the Board with respect to these three applications. They were not represented. Ms. Holleman informed the Board that the application were complete and they are asking that the Board approve the change of ownership of the three facilities with Gregory Arnold as the proposed manager of all three.

The Board asked Mr. Arnold and Mr. Nikola questions and received clarification regarding the applications.

Executive Session

Motion: Mr. Price made a motion, seconded by Mr. Dickerson, to go into Executive Session to receive legal advice. The motion carried unanimously.

Return to Public Session

Motion: Ms. Cooper made a motion, seconded by Mr. Price that the Board comes out of Executive Session. The motion, carried unanimously.

Ms. Williams advised that no votes were taken in Executive Session.

Motion: Ms. Cooper made a motion to approve all three change of ownership applications for the facilities with Gregory Arnold as the proposed manager pending a favorable letter from Consumer Affairs, which was seconded by Mr. Taylor. The motion carried unanimously.

[The next 2 application hearings were heard together.]

5. Bass-Cauthen Funeral Home & Cremation Service- Rock Hill- David Harris

6. Bass-Cauthen Crematory- Rock Hill- David Harris

Mr. David Harris and Mr. Kyle Nikola appeared before the Board with respect to these two applications. The applicants were not represented. Ms. Holleman informed the Board that the applications are complete and they are asking that the Board approve the change of ownership for both establishments with David Harris as the proposed manager for both.

MOTION: Mr. Price made a motion to approve the change of ownership applications pending final inspections and a favorable letter from Consumer Affairs. The motion was seconded by Ms. Cooper and carried unanimously.

Break

7. Whitesell Funeral Home and Cremation- Rock Hill-Jeffery McWatters

Mr. Jeffrey McWatters and Mr. Kyle Nikola appeared before the Board with respect to this application. The applicant was not represented. Ms. Holleman informed the Board that the application is complete and they are asking that the Board approve the change of ownership with Jeffrey McWatters as proposed manager

MOTION: Mr. Price made a motion to approve the change of ownership application pending final inspection and favorable letter from Consumer Affairs. The motion was seconded by Dr. DuPre and carried unanimously.

[Following the aforementioned application hearings, Mr. Wright returned to the meeting.]

C. Change of Manager and/or Extension Request

1. Shipman's Funeral Home – Latta—Centell Davis

Break

Ms. Holleman called to contact Shipman's Funeral Home (Centell Davis) to determine if he was in route to attend the board meeting because he was not present at the call of the hearing. Mr. Davis advised Ms. Holleman that he was closing the funeral home.

Executive Session

MOTION: Mr. Price made a motion to go into Executive Session for legal advice, seconded by Dr. DuPre, which carried unanimously.

Return to Public Session

MOTION: Dr. DuPre made a motion to come out of Executive Session, seconded by Mr. Price which carried unanimously.

Ms. Holleman was sworn. She explained how Mr. Davis and Shipman's was noticed for the hearing but that in discussing the matter prior to the start of the hearing, Mr. Davis provided that he was closing the funeral home. Finding that Mr. Davis and Shipman's was properly noticed for the hearing but chose not to appear, the Board went forward with the hearing in their absence.

The Board discussed the matter and made a motion regarding this matter.

MOTION: Mr. Price made a motion that Shipman's had been properly noticed and failed to appear. Following, he moved to deny Shipman's extension request and provided that Shipman's must turn in its license to the Board within 5 business from the date the order is issued, which was seconded by Ms. Cooper and passed unanimously.

12. Legislative Contact

Discussions were held during which time it was explained that traditionally the Board president serves as the legislative liaison, with the Board choosing 1 or 2 backups as well.

MOTION: Mr. Hodge made a motion, which was seconded by Dr. DuPre, that Mrs. Williams serve as the Board's legislative liaison, with Mr. Wright serving as backup. The motion passed unanimously.

12. Executive Session for Legal Advice, If Needed

13. Public Comments (no votes taken)

14. Adjournment

Mrs. Williams called for a motion to adjourn.

MOTION: Mr. Dickerson made a motion, seconded by Mr. Wright, to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 1:04 p.m.

The next scheduled Board meeting for the South Carolina State Board of Funeral Service is February 21, 2024, and February 22, 2024, at 10:00 a.m.