

**South Carolina State Board of Funeral Service
Board Meeting Minutes**

Thursday, December 7, 2023 at 10:00 am
110 Centerview Dr., Kingstree Building, Lowcountry Conference Room
Columbia, South Carolina 29210

Meeting Called to Order

Thoma L. Williams, President, called the meeting of the South Carolina State Board of Funeral Service to order on December 7, 2023 at 10:17am.

Public Notice

Public notice of this meeting was properly posted at the S.C. State Board of Funeral Service Office, Synergy Business Park, Kingstree Building, the Board's website, 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.

Board Members Present:

Thoma L. Williams, President, of Sumter
Gregory E. Evans, Vice President, of Newberry
James P. Hodge, of Anderson
Michelle A. Cooper, of Moncks Corner
Darryl Dickerson, of Goose Creek
Dr. D'Michelle P. DuPre, of Chapin
Wayne K. Pratt, Sr., of Newberry
Landis D. Price, II, of Leesville
Stoney W. Bachman, of Norway

SCLLR STAFF PRESENT:

Kyle Tennis, Esq., Office of Advice Counsel
Alexis Bell, Esq., Disciplinary Counsel, Office of Disciplinary Counsel
Donnell Jennings, Esq., Chief, Office of Investigations
Robert Dean, Lead Investigator, Office of Investigations
Meredith Buttler, Program Director
Matalie Mickens, Board Executive
Shamone Breazeale, Administrative Assistant
Chuck Waters, Office of Investigations
Byron Ray, Office of Investigations
Tori Smith, Office of Investigations

Public:

Cortney Glover, Court Reporter
Ernest Adams, GWJ-Moore Crematory and JC Moore Branch
Gregory Arnold, Bass-Cauthen and Whitesell Funeral Home and Cremation Service

Doug Garrett, WGW-JC Moore Crematory and JC Moore Branch
Andre Locke, Serenity Mortuary
Rion Rampey, SCFDA
Shannon DeLoach, Serenity Mortuary

Approval of the Agenda

Motion: To approve the agenda. Motion was made by Mr. Dickerson and seconded by Mr. Hodge. The motion passed.

Introduction of Board Members and Persons Attending the Meeting

Approval of Excused Absences

Motion: To approve the absence of Board members Brent Taylor and Thomas Wright. Motion was made by Ms. Cooper and seconded by Dr. DuPre. The motion passed.

Approval of Meeting Minutes

- a. October 11, 2023 Board Meeting
- b. October 12, 2023 Board Meeting

Motion: To approve the minutes for the October 11 & 12, 2023 meetings. Motion was made by Dr. DuPre and seconded by Mr. Price. The motion passed.

President's Remarks – Thoma L. Williams

Mrs. Williams welcomed Ms. Mickens as the Board's new executive and Ms. Breazeale as the Board's new administrative assistant.

Staff Reports

- a. Inspection Report – 92 inspections between October 2, 2023, and December 1, 2023 – Matalie Mickens
- b. Office of Disciplinary Counsel (ODC) Report - Alexis Bell, Esq.
Ms. Bell presented the ODC report and provided that as of December 4, 2023, there are 21 open cases and 21 cases pending hearings and agreements. 48 cases have been closed since January 1, 2023, and 9 cases have been closed since the last Board meeting.
- c. Office of Investigations and Enforcement (OIE) Report – Robert Dean
Mr. Dean presented the OIE report and provided that there are 114 total cases, 32 active cases, and 28 cases have closed since the last Board meeting.
[Both Ms. Cooper and Mr. Price were recused from the IRC Report agenda item.]
- d. Investigative Review Conference (IRC) Report – Robert Dean

Mr. Dean presented the IRC report for the Board's review and approval. There were 26 cases on the IRC report, as follows: 9 for dismissal; 1 for Cease and Desist; 12 for Formal Complaints; and 4 for Letters of Caution.

Motion: Mrs. Williams called for a motion to go into executive session to seek legal advice regarding the IRC report. The motion was made by Mr. Dickerson and seconded by Dr. DuPre. The motion passed.

Motion: Mrs. Williams called for a motion to exit executive session regarding the IRC report during which legal advice was sought and no votes were taken. The motion was made by Dr. DuPre and seconded by Mr. Pratt. The motion passed.

Motion: Mr. Dickerson made a motion to approve all cases on the IRC report except for the following: Case Nos. 2023-79, 2023-98, 2023-99, and 2023-100. The motion was seconded by Dr. Dupree. The motion passed.

[Both Ms. Cooper and Mr. Price returned to the Board meeting after the IRC report agenda item was complete.]

e. Executive Report – Matalie Mickens

Ms. Mickens reported that the Board's balance as of October 31, 2023 is -\$245,371.64.

Application Hearings

a. New Facility

1. Bennett Funeral Home – Walterboro – Wayne Bennett

This matter was continued per the request of the applicant until the next Board meeting.

2. WGW-JC Moore Crematory –Easley - Fred Douglas Garrett, Jr.

Ms. Mickens informed the Board that the application was complete and that Mr. Garrett is asking for the Board to approve the new facility with Mr. Garrett as the proposed manager. Mr. Garrett answered YES to #15 on the application. Explanation was attached. Mr. Garrett, license number FD 1932, initially licensed July 8, 1987, resides 14.3 miles from the facility. Watkins Garrett-Woods Mortuary is the parent facility.

Both Mr. Garrett and Mr. Adams were sworn in, testified, and responded to questions from the Board.

Motion: To approve the application for new crematory with Mr. Garrett as manager pending final inspection. The motion was made by Mr. Price and seconded by Ms. Cooper. The motion passed.

b. New Branch Facility

1. Serenity Historic Beaufort Chapel – Beaufort – Shannon DeLoach

Ms. Mickens informed the Board that the application is complete and that Mr. DeLoach is asking that the Board approves the new facility with him as the manager of record. Mr. DeLoach answered YES to #15 on the application. The explanation was attached. Mr. DeLoach, license number FD.3448, initially licensed on March 20, 2009, he resides 6.5 miles from the facility.

Both Mr. DeLoach and Mr. Locke were sworn in, testified, and responded to questions from the Board.

Motion: To approve the chapel with Mr. DeLoach as manager pending final inspection. The motion was made by Ms. Cooper and seconded Dr. DuPre. The motion passed.

c. Change of Ownership

1. JC Moore Branch –Easley – Fred Douglas Garrett, Jr.

Ms. Mickens informed the Board that the application was complete and that Mr. Garrett is asking for the Board to approve the change of ownership with Mr. Garrett as the proposed manager. Mr. Garrett answered YES to #15 on the application. Explanation was attached. Mr. Garrett, license number FD 1932, initially licensed July 8, 1987, resides 14.3 miles from the facility. Watkins Garrett-Woods Mortuary is the parent facility. Mr. Garrett requested that the branch be allowed to retain its current license number.

Both, Mr. Garrett and Mr. Adams were sworn in, testified, and responded to questions from the Board.

Motion: To approve the change of ownership with Mr. Garrett as manager and to allow the branch to retain its current license number upon passing a final Board inspection. The motion was made by Ms. Cooper and seconded by Dr. DuPre. The motion carried.

[The next 3 application hearings were heard together.]

2. Bass-Cauthen Funeral Home & Cremation Center – Rock Hill – Gregory Dale Arnold
3. Bass-Cauthen Crematory – Rock Hill – Gregory Dale Arnold
4. Whitesell Funeral Home and Cremation Service – Rock Hill – Gregory Dale Arnold

Ms. Mickens informed the Board that the applications for the three establishments are complete and that Mr. Arnold is asking that the Board approves the change of ownership with him as the manager of record for Bass-Cauthen Funeral Home & Cremation Center, Bass-Cauthen Crematory, and Whitesell Funeral Home and Cremation Service. Mr. Arnold, license number FDE.3744, initially licensed May 24, 2013, resides 10.2 miles from the Bass-Cauthen establishments and 13.6 miles from Whitesell Funeral Home and Cremation Service.

Mr. Arnold was sworn in, testified, and responded to questions from the Board.

Motion: To go into executive session where for legal advice. Motion was made by Mr. Price and seconded by Ms. Cooper. The motion passed.

Motion: To exit executive session during which legal advice was sought and no votes were taken. Motion made by Mr. Price and seconded by Mr. Hodge. The motion passed.

Motion: To approve the change of ownership for all three establishments with Mr. Arnold serving as the manager for the three establishments, pending passing final Board inspections and the funeral homes providing favorable letters from the South Carolina Department of Consumer Affairs regarding preneed funeral contracts. Motion was made by Ms. Cooper and seconded by Mr. Hodge. The motion passed.

BREAK

Travel Approval –2024 Annual Meeting at The International Conference of Funeral Service Examining Boards- Matalie Mickens

Motion: To approve travel to the International Conference for Ms. Mickens, Ms. Buttler, Program Director, Kyle Tennis, Advice Counsel, and 2 additional board members. The motion was made by Mr. Price and seconded by Ms. Cooper. The motion passed.

Legislative Update

Mr. Tennis provided the Board an update on the current bills that may affect the funeral board and funeral industry. Of note were the following:

- H.4615, which would address funeral processions, including but not limited to providing definitions, providing that certain equipment must be maintained on funeral escort and lead vehicles, providing right of way conditions for funeral processions and conditions for the operations of vehicles in processions, providing the imposition of liability for injuries that occur in processions.

-H.4116, which would make numerous changes to the Funeral Practice Act (S.C. Code Ann. § 40-19-5 *et seq.*, and Preneed Funeral Contracts (S.C. Code Ann. § 32-7-10 *et seq.*) including but not limited to increasing the penalties for violating preneed funeral contract statutes, changing the mileage radius required for a manager to live within in order to manage a funeral home, changing the definition of cremation to include “alkaline hydrolysis,” providing for registrations of crematory operators, and changing the continuing education requirements from three hours to four hours annually and requiring that two hours must require the physical attendance of the licensee.

Executive Session for Legal Advice, If Needed- None

Public Comments (no votes taken)-None

Adjournment

Motion: To adjourn. The motion was made by Mr. Dickerson and seconded by Mr. Hodge. The motion passed.

The next scheduled meeting for the SC Board of Funeral Service is **February 21, and 22, 2024.**