

MINUTES
South Carolina Board of Funeral Service
Board Meeting

10:00 a.m., April 5, 2012
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 108
Columbia, South Carolina

Thursday, April 5, 2012

1. Meeting Called to Order

Michelle Cooper, President, of Moncks Corner, called the regular meeting of the SC Board of Funeral Service to order at 10:05 a.m. Other Board members present for the meeting included: Thomas E. Baker, II, Secretary, of Kershaw; Kenneth E. Beasley, of Fountain Inn; Wallace McKnight, Jr., of Andrews; Eddie J. Nelson, of Blythewood; Mark R. O'Steen, Spartanburg; John L. Petty, III, of Landrum; and, Jeffrey K. Temples, of Columbia.

Staff members participating in the meeting included: Doris Cubitt, Administrator; Wendi Elrod, Program Assistant; Amy Holleman, Administrative Assistant; Jeanie Rose, Administrative Assistant; Jamie Saxon, Advice Counsel, Division of Legal Services; Andrew Rogers, Division of Legal Services; Ernest Adams, Inspector, Office of Investigations and Enforcement; Sharon Wolfe, Chief Investigator, Office of Investigations and Enforcement; and, Sharon Cook, Investigator, Office of Investigations and Enforcement.

Members of the public attending the meeting included: Chris Burroughs, Burroughs Funeral Home; Tangie Burroughs, Burroughs Funeral Home; Carol Fernandez; Ricky Fernandez; Mike Squires, of the SC Funeral Directors Association (SCFDA); Pam Stephens, Stephens Funeral Home; Phillip Shayne Stephens, Stephens Funeral Home; Sharon Springs; Lawrence Meadows, First Family Funeral Home; Roderick M. Cummings, First Family Funeral Home; Tim Gossett, Thomas McAfee Funeral Home; Thomas F. McAfee, Thomas McAfee Funeral Home; Israel Miguel Koger, Koger's Mortuary Service Inc.; and, Billy A. Williams, Jr., Folk Funeral Home Inc.

A video of this meeting can be viewed at www.lfr.state.sc.us/POL/Funeral. On the Board's home page, click 'Board Information' and follow the link to the video.

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

a. Public Notice

Ms. Cooper announced that public notice of this meeting was properly posted at the SC 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.

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

William B. Horton, Jr., of Kingstree; and, Charlie Bradford Evans, of Abbeville were granted an excused absence.

MOTION

Mr. Baker made a motion the Board approve Mr. Horton's and Mr. Evans' absences. Mr. Nelson seconded the motion, which carried unanimously.

4. Approval of Minutes for the February 7, 2012 Meeting

MOTION

Mr. Baker made a motion the Board approve the minutes. Mr. Nelson seconded the motion, which carried unanimously.

5. Reports

A. Investigate Review Committee (IRC) Report

Ms. Wolfe stated the IRC's recommendations are to continue four cases, dismiss five cases, to issue a formal complaint for one case, issue letters of caution for six cases.

MOTION

Mr. Baker made a motion the Board approve the IRC's recommendations. Mr. Temples seconded the motion, which carried unanimously.

B. OIE Report

Ms. Wolfe stated that there are six active cases, one do not open case, 13 closed cases and seven under current investigation.

MOTION

Mr. Baker made a motion the Board take this report as information only. Mr. Nelson seconded the motion, which carried unanimously.

C. Inspection Report

Mr. Adams reported that he and Mr. Poole have completed about 50 to 75 inspections since February 2012.

D. Division of Legal Services

Ms. Bell presented the Board with the report from the Division of Legal Services (DLS). She included in the report that DLS currently has six open cases, one pending action, one pending memorandum of agreement (MOA), two pending final order and two pending hearing. She then stated that leaves two cases to be closed.

6. President's Remarks – Michelle Cooper

Ms. Cooper welcomed everyone to the meeting and thanked everyone for attending.

7. Administrator's Remarks – Doris Cubitt

Ms. Cubitt reminded all Board members that the economic forms are due by April 15, 2012. She then stated that LLR has a new director, Holly Pisarik, which will attend the next meeting for an introduction. She stated that the staff is working on getting the renewals mailed out and hopes to have them mailed by April 15, 2012 because they are due to expire on June 30, 2012.

8. Disciplinary Hearing – Case No. 2011-8 – (Consent Agreement)

The consent agreement was not finalized so it is tabled until the next meeting.

New Business

9. Application Hearings

New Facility

1. Burroughs Funeral Home and Crematory LLC – Christopher Scott Burroughs

Mr. Burroughs is asking approval to open a funeral home in addition to his crematory. There was discussion regarding the name Burroughs Funeral Home and Crematory LLC since the location will not have a crematory at that location yet.

MOTION

Mr. Baker made a motion the Board approve the application pending submitting documentation confirmation that the name has been changed to Burroughs Funeral Home and Cremation Services with Secretary of State's office and passing final inspection. Mr. Temples seconded the motion, which carried unanimously.

MOTION

Mr. Petty made a motion the Board amend the agenda to allow Ms. Tangie Burroughs to go next so Mr. And Ms. Burroughs will not have to state for the entire meeting. Mr. Baker seconded the motion, which carried unanimously.

Request for Consideration to take Exam

1. Tangie Barber Burroughs – Funeral Director - Apprenticeship expired over 5 years ago

Ms. Burroughs requests consideration to take the exam and count her apprenticeship even though it has been over 5 years since it was completed.

Executive Session

MOTION

Mr. Baker made a motion the Board enter into executive session. Mr. Temples seconded the motion, which carried unanimously.

Return to Public Session

MOTION

Mr. Nelson made a motion the Board return to public session. Mr. Temples seconded the motion, which carried unanimously. Ms. Cooper noted for the record that no official action was taken during executive session.

MOTION

Mr. Temples made a motion the Board approve for Ms. Burroughs to apply to take the exam. She must also complete one year of apprenticeship either before or after taking the exam. Mr. McKnight seconded the motion, which carried unanimously.

New Facility

2. First Family Funeral Home – Lawrence Robert Meadows

Mr. Meadows is asking approval to open a new funeral home since his current funeral home has closed since his partnership with Ms. Marsha Ferguson was dissolved.

Executive Session

MOTION

Mr. Nelson made a motion the Board enter into executive session. Mr. Temples seconded the motion, which carried unanimously.

Return to Public Session

MOTION

Mr. Baker made a motion the Board return to public session. Mr. McKnight seconded the motion, which carried unanimously. Ms. Cooper noted for the record that no official action was taken during executive session.

MOTION

Mr. Temples made a motion the Board approve the application pending passing final inspection. Mr. Petty seconded the motion. Mr. Beasley and Mr. Nelson opposed the motion.

3. Koger's Mortuary Service Inc. –Israel Miguel Koger

Mr. Koger is requesting approval to open a new funeral home.

MOTION

Mr. Baker made a motion the Board approve the application pending passing final inspection. Mr. Nelson seconded the motion, which carried unanimously.

New Facility/Change of Ownership

1. Stephens Funeral Home and Crematory- Phillip Shayne Stephens

2. Stephens Crematory – Phillip Shayne Stephens

Mr. Stephen is requesting approval for ownership change for both the funeral home and crematory since the passing of his father. He stated it is still in probate.

MOTION

Mr. Nelson made a motion the Board approve the application pending passing final inspection and a favorable letter from Consumer Affairs for the pre-need. Mr. McKnight seconded the motion, which carried unanimously.

Additional Facility

1. Folk Funeral Home Inc – Billy A. Williams Jr.

Mr. Williams is requesting approval to open a crematory on site of his funeral home.

MOTION

Mr. Petty made a motion the Board approve the application pending passing final inspection and crematory operator certificate. Mr. Baker seconded the motion, which carried unanimously.

2. Thomas McAfee Funeral Home – Southeast Chapel – Thomas F. McAfee IV

Mr. McAfee has already received approval to build another funeral home however the approval was giving over a ago.

MOTION

Mr. Baker made a motion the Board approve the application pending passing final inspection. Mr. Temples seconded the motion, which carried unanimously.

Request for Apprenticeship

1. Carol J. Fernandez – Apprentice Funeral Director – yes answer on application

Ms. Fernandez is requesting approval to server her apprenticeship however she has a yes answer on her application. Ms. Fernandez explained that several years ago she held a SC Nursing license but had some issues so she was reprimanded and had her license suspended. She then met the conditions and received her license back a few years ago and her license remains in good standing.

MOTION

Mr. Nelson made a motion the Board approve the application. Mr. Temples seconded the motion, which carried unanimously.

2. Sharon Culbreath Springs – Apprenticeship extension for 4th time

Ms. Springs is requesting approval to server her apprenticeship again for the fourth time.

MOTION

Mr. Temples made a motion the Board approve the application and allow Ms. Springs one year to complete her apprenticeship. Mr. Nelson seconded the motion, which carried unanimously.

10. Discussion Items

No discussion items at this time.

11. Election of Vice President

Nomination for Vice President

Mr. Baker nominated Mr. Kenneth E. Beasley for vice president. Mr. Petty seconded the motion, which carried unanimously. There being no further nominations, the nominations were closed.

12. Committee Reports

A. Legislative Committee
This committee had no report.

B. Examination/CEU/Education – Glen Crawford, Ernest Adams
This committee had no report.

C. Regulatory Compliance (Federal and State) / FTC / OSHA / ADA / PreNeed – Billy Horton, Doris Cubitt
This committee had no report.

D. Publications / Newsletter / Website – Glen Crawford, Jeff Temples
This committee had no report.

13. Public Comments

No comments were made during the meeting.

14. Adjournment

MOTION

Mr. Baker made a motion the Board adjourns. Mr. Petty seconded the motion, which carried unanimously.

The April 5, 2012 meeting of the SC Board of Funeral Service adjourned at 12:04 p.m.

The next meeting of the SC Board of Funeral Service is scheduled for June 6, 2012.