

MINUTES
South Carolina State Board of Funeral Service
Board Meeting

11:00 a.m., December 7, 2017
Synergy Business Park
110 Centerview Drive, Kingtree Building Room 108
Columbia, South Carolina

Thursday, December 7, 2017

1. Meeting Called to Order

Jeffrey K. Temples, President, of Columbia, called the regular meeting of the South Carolina State Board of Funeral Service to order on December 7, 2017, at 11:02 a.m. Other board members present for the meeting included: Charvis K. Gray, Vice President, of Piedmont; Stephen Lee McMillan, Jr., Secretary, of Myrtle Beach; William B. Horton, Jr., of Kingtree; Wallace McKnight, Jr., of Andrews; Michelle A. Cooper, of Moncks Corner; John L. Petty III, of Landrum; Stephen R. Gantt, of Greenwood; Dr. D'Michelle P. DuPre, of Lexington; Landis D. Price II, of Lexington; and Kenneth E. Baxter, Sr., of Greenville.

Staff members participating in the meeting included: Mary League, Advice Counsel, Office of Advice Counsel; Erin Baldwin, Disciplinary Counsel, Office of Disciplinary Counsel; Amy Holleman, Administrator; Norma McAllister, Program Assistant; Monaca Harrelson, Administrative Assistant; Eric Thompson, Office of Investigations and Enforcement; Ernest Adams, Inspector, Office of Investigators and Enforcement; and William Poole, Inspector, Office of Investigations and Enforcement.

Members of the public attending the meeting included: Elizabeth Simmons, South Carolina Morticians Association; Jacob Flowers, South Carolina Department of Consumer Affairs; Meghan Goldfinch Hayden and George H. Goldfinch of GSFH Enterprises, LLC and Goldfinch Funeral Services, Inc.; Bobby E. Richardson, Casey V. Ward, and Joshua C. Campbell of Goldfinch Funeral Services, Inc.; Keenan T. Walsh of GSFH Enterprises, LLC; Ephraim Stevens, of Stephens-Maree-Tracey Funeral Home; Paul Siegel, Attorney for Stephens-Maree-Tracey Funeral Home; Robin Williams; Justine Robinson; Tyrone Johnson; and Ronald Clayton.

A. Public Notice

Mr. Temples announced that public notice of this meeting was properly posted at the South Carolina State 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

All Board members attended the meeting.

4. Approval of Minutes for the November 2, 2017 board meeting

Mr. Temples called for a motion to approve the minutes for the November 2, 2017.

MOTION

Mr. Gray made a motion to approve the November 2, 2017 minutes. Mr. Lee seconded the motion which passed unanimously.

5. Correction to October 17, 2017 Minutes – Page 6

Item # 9. Change of Facility Name

1. GFH Crematory – Murrells Inlet – Joshua R. Campbell

Mr. Joshua R. Campbell and Mr. George H. Goldfinch appeared before the Board on behalf of ~~Johnson Funeral Home~~. GFH Crematory

Mr. Temples called for a motion to approve the correction.

MOTION

Mr. Horton made the motion to correct the October 17, 2017 minutes on page 6, item 9. 2., to read, “Mr. Joshua R. Campbell and Mr. George H. Goldfinch appeared before the Board on behalf of GFH Crematory.”

6. President’s Remarks – Jeffrey K. Temples

Mr. Temples did not make remarks.

7. Presentation of Service Plaque – Eddie J. Nelson

Mr. Temples stated that Mr. Nelson was unable to attend today’s meeting due to a call to serve a family.

8. Administrator’s Remarks – Amy Holleman

Ms. Holleman reported that the Board’s cash balance at the end of October 2017 was -\$567,126.15.

Ms. Holleman presented the bill that is currently before the South Carolina General Assembly.

“To amend section 40-19-265(A)(4), Section 40-19-265(B)(4), and section (D)(4) of the 1976 Code, all relating to permit requirements for funeral homes to provide that designated managers meeting the requirements of section 40-19-20(16) who are current and in good standing with the Board must live within a radius of fifty miles of the funeral home.”

The Board discussed the Bill and felt that the current statute sufficiently protects the public. The Board’s concern is that increasing the distance would significantly increase travel time, which has the potential to adversely affect the protection of the public.

Ms. Holleman reported no changes of related to establishment managers or facility names.

9. Reports

A. Inspection Report

Mr. Poole informed the Board that he and Mr. Adams conducted 74 inspections between October 25, 2017 and November 28, 2017.

B. Investigative Review Committee (IRC) Report

Ms. Holleman informed the Board that the Investigative Review Committee did not hold a November 2017 meeting.

C. Office of Investigations and Enforcement (OIE) Report

Ms. Holleman informed the Board that as of December 7, 2017, there were nine active investigations; nine do not open cases; four opened cases; one case pending Board action, and one case pending IRC.

D. Office of Disciplinary (ODC) Counsel – Erin Baldwin

Ms. Baldwin reported nine open cases, five pending actions, one pending a hearing, three pending final orders, and three closed as of November 28, 2017.

New Business

Application Hearings

10. New Funeral Home or Change of Ownership

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

The Board decided to hear all of the Goldfinch Funeral Services, Inc. as one. Ms. Holleman informed the Board that the applications are complete.

Ms. Megan Goldfinch Hayden, Mr. George H. Goldfinch, and each manager appeared before the Board regarding the respective funeral establishment. Ms. Hayden informed the Board that the change of ownership is a stock transfer only with other aspects of the business remaining intact including retaining the current manager of each facility. Ms. Hayden asked that the Board approve the change of ownership, and allow each establishment to retain its respective manager and license number. In addition, Ms. Hayden asked that the Board approve the name change of Grand Strand Funeral Home and Crematory to Grand Strand Funeral Home and Cremation Services.

1. Goldfinch Funeral Services, Inc. – FE 105 – Conway – Bobby E. Richardson II
Mr. Bobby E. Richardson II, FDE #1964, initially licensed on July 8, 1987, resides 20.3 miles from the facility, and does not have a criminal background. Mr. Richardson is the current and proposed manager for the facility.
2. Grand Strand Funeral Home and Crematory – FE 701 – Myrtle Beach – Keenan T. Walsh
Mr. Keenan T. Walsh, FD #2687, initially licensed on December 20, 2001, resides two miles from the facility. Mr. Walsh's criminal background report was included with the application. Mr. Walsh is the current and proposed manager for the facility.
3. Goldfinch Funeral Services, Inc.-Beach Chapel-FE 478-Murrells Inlet-Joshua R. Campbell
Mr. Joshua A. Campbell, FDE #2288, initially licensed on April 9, 1996, resides 11 miles from the facility, and does not have a criminal background. Mr. Campbell is the current and proposed manager for the facility.
4. Goldfinch Funeral Services, Inc. - Pawleys Chapel - FE 698 – Joshua R. Campbell
Mr. Campbell resides 23.8 miles from the facility. He is the current and proposed manager of the facility.
5. GFH Crematory – FE 479 – Murrells Inlet – Joshua R. Campbell
Mr. Campbell resided 11 miles from the facility. He is the current and proposed manager of the facility.

6. Goldfinch Funeral Services, Inc. – Loris Chapel – FE Casey V. Ward
Mr. Casey V. Ward, FDE #2719, initially licensed on July 6, 2002, resides 1.1 miles from the facility, and does not have a criminal background. Mr. Ward is the current and proposed manager for the facility.

Mr. Temples called for a motion regarding the disposition of the change of ownership.

MOTION

Mr. Horton made a motion to approve the change of ownership. Mr. Gray seconded the motion which carried unanimously. Mr. Horton amended the motion approving the change of ownership pending receipt of the documented transfer of shares, and the amended motion grants the administrator authority to approve the final paperwork and issuance of license. Mr. Lee seconded the amended motion, which carried unanimously.

Mr. Temples called for a motion regarding the approval of managers.

MOTION

Mr. Horton made a motion to approve the proposed manager for each facility. Ms. Cooper seconded the motion, which carried unanimously.

Mr. Temples called for a disposition regarding the facilities' retaining the current licenses.

MOTION

Mr. Horton made a motion that the facilities keep the respective license number. Ms. Cooper seconded the motion, which carried unanimously.

Mr. Temples called for a motion to approve the change of name for Grand Strand Funeral Home and Crematory to Grand Strand Funeral Home and Cremation Services.

MOTION

Ms. Cooper made a motion to approve the change of name of the facility. Mr. McMillan seconded the motion, which carried unanimously.

Mr. Temples called for a recess.

Disciplinary

11. Disciplinary Hearing

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

1. Case No.: 2016-59
The State and the Respondent presented arguments and evidence.

Executive Session

MOTION

Ms. Cooper made a motion to go into executive session to receive legal advice, Mr. McMillan seconded the motion, which carried unanimously.

Return to Public Session

MOTION

Dr. DuPre made a motion to come out of Executive Session, Mr. McKnight seconded, and the motion passed unanimously.

Mr. Temples noted, for the record, there were no votes taken during Executive Session.

MOTION

Mr. Horton made a motion, read by advice counsel, that no violation was found and that the case be dismissed. Mr. McMillan seconded the motion, which carried unanimously.

12. Executive Session for Legal Advice, If Needed

13. Public Comments (no votes taken)

Mr. Horton noted that Tracey Perlman, formerly with the ODC, has left the Agency. During her tenure she was a valuable asset to the Board and the State. The Board is appreciative of all of her hard work.

14. Adjournment

Mr. Temples called for a motion to adjourn.

MOTION

Ms. Cooper made a motion to adjourn the meeting, Mr. Baxter seconded, and the motion carried unanimously.

Mr. Temples, after ensuring there being no further business to discuss, adjourned the December 7, 2017 meeting for the South Carolina State Board of Funeral Service at 2:57 p.m.

The next scheduled Board meeting for the South Carolina State Board of Funeral Service is January 30, 2018 at 10:00 a. m., at Synergy Business Park, 110 Centerview Drive, Kingstree Building, Room 108, Columbia, South Carolina.