

## REGULAR BOARD MEETING

### MINUTES

December 12, 2012

The North Carolina Board of Funeral Service met for a duly scheduled Board Meeting at 9:00 a.m. on December 12, 2012 at the Board's office, 1033 Wade Avenue, Suite 108, Raleigh, North Carolina.

Present: Try Wiseman, President; J. T. Willoughby III, Vice-President; Harris High, Secretary; Ken Stainback, John Shields, Stephen Aldridge III, Broadus Combs, and Kelly Byrd.

Also Present: Peter M. Burke, Executive Director, Stephen N. Dirksen, General Counsel, Patricia Hayes and Larry Stegall with North Carolina Funeral Directors Association, Dan Funchess and James Baron, Funeral Service Licensees, Carolyn Connor, Brett Lisenbee and Lyn Gochrane.

The meeting was called to order at 9:00 a.m. Ms. Wiseman led the Pledge of Allegiance, had the invocation and read the Ethics Awareness & Conflict of Interest statement. No one recused themselves. Mr. High stated he had attended a meeting of the NCFDA on December 4.

Mr. High presented the November 14, 2012, minutes. Mr. Aldridge made the motion to accept the minutes and Mr. Byrd seconded. The motion carried.

Preneed Committee: Mr. High reviewed the report and stated the Committee had not met since Friday, November 9. There are 169,866 active contracts as of December 11, 2012; 658 licensed preneed funeral establishments; and 1,688 individuals licensed to sell preneed as of December 11, 2012.

Discussion ensued. Mr. High stated this report was for information only.

Traineeship Committee: Ms. Wiseman stated the Committee had met before the Board meeting. Trainee #1 had missed two reports. Committee was recommending allowing him to finish up his last six months. Trainee #2 and #3 have missed two reports and did not show up for the meeting. Committee was recommending they remain suspended until they come before the Committee. Mr. Stainback made the motion to accept the recommendations and Mr. Byrd seconded. The motion carried.

Disciplinary Committee: Ms. Wiseman stated the Committee had met by teleconference on Thursday, December 6 and presented the report with two addendums. Mr. High made the motion to accept the recommendations for V10-031, V12-021, V12-066, V12-073, V12-017, V12-050, M12-031, M09-028 and M12-032. Mr. Byrd seconded and the motion carried.

Mr. High made the motion to accept the addendum, which includes recommendations for M10-030, V11-040, V11-076, M11-023 and M11-025. Mr. Byrd seconded and the motion carried.

Mr. High made the motion to accept the recommendation for M12-030. Mr. Byrd seconded and the motion carried.

Mr. High made the motion to accept the recommendation for M12-033. Mr. Byrd seconded and the motion carried.

Finance/Personnel Committee Mr. Willoughby reviewed the financials. Mr. Byrd made the motion to accept the report and Mr. High seconded. The motion carried.

Exam Committee: Mr. Stainback stated seven applicants were eligible to take the Laws & Rules exam. As of December 7, staff has been notified that two passed and the results were not available for the other five. This report is for information only.

Laws & Rules Committee: Mr. Stainback stated the Committee had met by teleconference on December 7. The Committee discussed a series of letters mailed to all Board members and several of the Board staff from a licensee concerning a prior Declaratory Ruling regarding licensing examinations. The licensee is requesting a second Declaratory Ruling. Committee recommending granting the request for an additional Declaratory Ruling but this will be discussed in closed session at the end of the meeting.

Attorney Report: Mr. Dirksen presented his report. The 11:00 a.m. hearing was settled in the Disciplinary Committee report. There are there are two hearings scheduled to begin at 1:00 p.m. today. Mr. Willoughby continued the Thursday hearing until January. This report is for information only.

Executive Director's Report: Mr. Burke presented the report.

New Funeral Home: Triad Cremation Society and Chapel, Greensboro

New Crematory: Triad Cremation Society, Greensboro

New Funeral Service Licensees: Wendell Haselden, Ezrita Taylor

New Funeral Director Licensees: James Wilkinson IV, John Roland, Jr.

New Trainees: Charles Susong, Robert Dodson, Larry Skipper, Jr., Garrett Holland, Kalen Wilhide, Kevin Brinkley, Ashley Workman

Mr. Burke spoke to a class at UNC-Wilmington in November. Mr. Burke and Ms. Connor had the program for NCFDA District 9 meeting on December 4.

The 2013 Federal mileage rate will increase for \$0.56.5 per mile.

Mr. Burke has been in touch with FTC regarding clarification on casket price list and is waiting on an opinion.

At this time Ms. Wiseman called for a recess in order for Mr. Burke to set up his equipment to present the 2013 budget.

After a five-minute recess, Mr. Burke presented the 2013 budget and responded to questions. Mr. Byrd made the motion to go into closed session in order to discuss personnel performance.

Upon proper motion the Board returned to open session.

Mr. Aldridge made the motion to approve the recommendation of the Laws and Rules Committee to grant the second Declaratory Ruling as stated under Tab 8. This was not discussed in closed session. Mr. Byrd seconded and the motion carried.

Mr. Byrd made the motion to approve the 2013 Board budget as presented. Mr. High seconded and the motion carried.

Ms. Wiseman accepted Mr. Burke's report for information only.

Inspector Connor then made comments and answered questions from the Board members.

Mr. Shields asked for a five-minute recess. Upon return to the meeting Mr. Burke presented the 2013 calendar. Mr. Willoughby made the motion to approve the dates for the January, February and March meeting. Mr. Stainback seconded and the motion carried. The balance of the year will be decided at the January meeting.

Election of Board Officers for 2013: Mr. Aldridge made the motion to accept Mr. High as President, Mr. Willoughby as Vice President and Mr. Stainback as Secretary. Mr. Byrd seconded and the motion carried.

Ms. Wiseman thanked Mr. Byrd and Mr. Aldridge for serving so diligently on the Board since they were unable to attend the Board Christmas Dinner on Tuesday night.

Old Business: There was none.

Mr. High presented Ms. Wiseman with a gift of appreciation from the Board members for serving as President for 2012.

The Board then recessed until the 1:00 hearings.

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Tryphina Wiseman, President

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Harris High, Secretary