

REGULAR BOARD MEETING

MINUTES

February 20, 2014

The North Carolina Board of Funeral Service met for a duly scheduled Board Meeting at 9:00 a.m. on February 20, 2014, at the Board's office, 1033 Wade Avenue, Suite 108, Raleigh, North Carolina.

Present: Kelly Byrd, President; Ken Stainback, Vice President; Broadus Combs, Secretary; Stephen Aldridge III, John Shields, Charles Graves, Elizabeth Williams-Smith. Absent: Tryphina Wiseman, Lawrence Jackson III.

Also Present: Peter M. Burke, Executive Director, Stephen N. Dirksen, General Counsel, Patricia Hayes with North Carolina Funeral Directors Association, Fred Jordan, Funeral Service Licensee with NC Eye Bank, Dorman Caudle with Carolina Donor Services, Michael Rulison with Funeral Consumers Alliance of the Triangle, and Dan Funchess, Funeral Service Licensee, Lyn Cochrane and Angela Rubbo.

Mr. Byrd called the meeting to order at 9:11 a.m., led the Pledge of Allegiance, and had a generic prayer.

Mr. Byrd read the Ethics Statement and no one recused themselves at this time.

Mr. Byrd asked then asked the guests to introduce themselves.

Mr. Stainback presented the January 8, 2014, minutes. Mr. Aldridge made the motion to accept the minutes. Mr. Graves seconded and the motion carried.

Preneed Committee: Mr. Byrd stated the committee reviewed documentation of solvency submitted by two preneed establishments supporting a request to discontinue the bond requirement. Committee was recommending approval. Mr. Byrd made the motion to approve the recommendation and Mr. Aldridge seconded. The motion carried.

The preneed report was submitted for information only. There are 660 licensed preneed funeral establishments and 609 were renewed as of February 7; 1649 individuals licensed to sell preneed and 1,397 were renewed as of February 7, 2014.

Disciplinary Committee: Mr. Byrd presented the report in Ms. Wiseman's absence.

Mr. Byrd made the motion to accept the recommendations for V10-001, C13-077, C13-078, C13-080, C13-081, C13-083, C13-084, C13-086, C13-088, C13-069, C13-085, C13-065, M14-001, M14-005, M14-006, M13-023, M11-002, and M13-024. Mr. Combs seconded. Mr. Aldridge made the motion to accept M14-001 and M14-007. Mr. Combs seconded and the motion carried.

Finance/Personnel Committee Mr. Combs reviewed the monthly financials and made the motion to accept. Mr. Aldridge seconded and the motion carried.

At this time Mr. Shields entered the meeting.

Attorney Report: Mr. Dirksen presented his report and stated the report was for information only. There is one hearing for today.

Executive Director's Report: Mr. Burke presented the report and stated there was no report for new licenses this month.

The "town meeting" of House Committee on the Funeral and Cemetery Regulation at Catawba Valley Community College in Hickory was rescheduled for February 26 at 2:00 p.m. and Ms. Wiseman will attend on behalf of the Board.

The International Conference of Funeral Service Examining Boards Annual Meeting is scheduled for February 26-27, 2014, in Orlando. Mr. Burke, Mr. Byrd, Mr. Stainback, and Mr. Aldridge are registered to attend.

Board Members are reminded to complete the Statement of Economic Interest (Ethics Commission) before April 15.

2014 renewals are processed except for a few exceptions.

At this time Mr. Combs stated there were two items from Finance that needed to be reviewed. Committee was proposing the 2014 Preneed Recovery Fund interest rate of 0.219422%. Mr. Combs made the motion to approve the recommendation and Mr. Stainback seconded. The motion carried.

On February 18 the committee considered an adjustment of the minimum capitalization rate from \$500 to \$1000 to be in line with other Boards and Commissions and as recommended by the auditors. Committee was recommending this and it would be effective for the 2013 audit. Mr. Graves made the motion to approve the recommendation and Mr. Aldridge seconded. The motion carried.

Old Business: Discussion ensued regarding the 2014 Board Meeting Calendar. Mr. Aldridge made the motion to accept the calendar as presented but with the removal of the April, June, August, and October meeting dates. Mr. Stainback seconded and the motion carried.

Discussion ensued regarding the online preneed annual report.

New Business: Mr. Burke commended staff on their work during the 2014 year.

Mr. Byrd allowed Mr. Rulison to make comments.

At this time the Board went into closed session to discuss attorney-client privilege. Upon proper motion by Mr. Aldridge and second by Mr. Combs, the Board returned to open session. Mr. Aldridge made the motion to direct staff to negotiate the consent order in the matter of Paul Wilson and Wilson Funeral Home vs. NCBFS. Mr. Combs seconded and the motion carried.

Mr. Aldridge made the motion to go back into closed session to discuss a personnel matter and Mr. Combs seconded. Upon proper motion by Mr. Aldridge and second by Mr. Graves, the Board returned to open session. There was no action taken in closed session.

The Board recessed briefly prior to commencement of hearings.

M. Kelly Byrd, President

J. Broadus Combs, Secretary