

REGULAR BOARD MEETING

MINUTES

January 9, 2013

The North Carolina Board of Funeral Service met for a duly scheduled Board Meeting at 9:00 a.m. on January 9, 2013, at the Board's office, 1033 Wade Avenue, Suite 108, Raleigh, North Carolina.

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

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, Funeral Service Licensee, Dorman Caudle with Carolina Donor Services, Fred Jordan with the NC Eye Bank and Lyn Cochrane.

Mr. High called the meeting to order at 9:05 a.m., led the Pledge of Allegiance, had the invocation and read the Ethics Awareness & Conflict of Interest statement. No one recused themselves.

Mr. Stainback presented the December 12, 2012, minutes. Ms. Wiseman noted the following corrections: Under Traineeship, 4th line, the second "Committee" should be "board." Under Laws & Rules, 5th line, the word recommending should be recommends. Under Attorney Report, 2nd line delete the second "there are" in that sentence. Page 2, Paragraph 10, "had" should read "spoke at." Mr. Willoughby also would like to add in the Members Present paragraph any absent members. Ms. Wiseman made the motion to accept the minutes with corrections and Mr. Jackson seconded. The motion carried.

At this time Board staff member Marty Mills entered the meeting to administer the oaths for Mr. Jackson's second term.

Preneed Committee: Mr. High stated the Committee had not met since Friday, November 9. The revised inflation-proof Statement of Funeral Goods and Services Selected form is posted on the Board website. Effective January 1, 2013, all preneed establishments are required to use the new Certificate of Performance form.

There are 169,355 active contracts as of January 8, 2013; 658 licensed preneed funeral establishments; and 1,672 individuals licensed to sell preneed as of January 8, 2013.

Mr. High stated this report was for information only.

Traineeship Committee: Ms. Wiseman stated there was no report for this month.

Disciplinary Committee: Ms. Wiseman stated the Committee had met by teleconference on Thursday, January 3 and presented the report with an addendum. Ms. Wiseman made the motion to accept the recommendations for V12-047, V12-065, V12-068, V12-072, V12-058, V11-037, V12-070, V12-077, M13-002, M-13-003 and M12-031. Mr. Willoughby seconded and the motion carried. Ms. Wiseman made the motion to accept the recommendation for M12-034. Mr. Willoughby seconded and the motion carried.

Finance/Personnel Committee Mr. Willoughby the Committee had not met since November 13, 2012 and reviewed the financials. Mr. Willoughby made the motion to accept the report and Mr. Jackson seconded. The motion carried.

Exam Committee: Mr. Stainback stated three applicants were eligible to take the Laws & Rules exam. Two candidates sat for the exam and both passed. This report is for information only.

Laws & Rules Committee: Mr. Stainback stated the Committee had met by teleconference on January 7 to discuss the final Declaratory Ruling regarding licensing examinations, the elimination of the January grace period for licensing renewals and completion of continuing education hours and some recommendations from the NC Funeral Directors Association.

The Members reviewed the report. Discussion ensued. Ms. Wiseman made the motion to vote on the final Declaratory Ruling separately. Mr. Byrd seconded and the motion carried. Mr. Willoughby made the motion to accept the recommendation to approve the final Declaratory Ruling. Mr. Stainback seconded and the motion carried.

After reviewing the report several items were referred back to Committee for further study.

Mr. High presented the 2013 Board calendar for approval. Mr. Byrd made the motion and Mr. Stainback seconded. The motion carried.

Attorney Report: Mr. Dirksen presented his report. The 10:00 a.m. hearing today was continued, the 11:00 a.m. was settled in the Disciplinary Committee report. There are two hearings scheduled to begin at 1:00 p.m. today. The Thursday hearing will begin at 9:00 a.m. Mr. Willoughby made the motion to approve the report. Mr. Byrd seconded and the motion carried.

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

New Funeral Home: Loftin Memorial-J. B. Rhodes Funeral Home, Kinston

New Funeral Service Licensees: David Brening, Jonathan Kepner

New Funeral Director Licensees: None

New Trainees: Amy Fox, Julie Harrell, Justin Stroud, Colin Thomas, Shawn Woody

New Transport/Removal: Barry Clayton Marlow, Durham

Status of 2013 Renewals: Active Licensees-68.9%; Inactive licensees-39.5%; Funeral Homes - 57%, Crematories - 77.8%; Transport/Removals - 52.1%; Unaffiliated - 40%.

Mr. Burke met with Representative Jamie Boles on December 18.

The NC State Auditors will begin their audit next week.

The Statement of Economic Interest (Ethics Commission) is due by April 15th.

A Performance Review form for the staff is included for review.

Mr. Burke met with the inspectors last week regarding the design of a new reporting form.

Discussion ensued regarding the hiring of an off-duty Raleigh Police Department policeman when certain cases are being heard. Discussion ensued.

At this time Mr. Funchess departed the meeting.

Ms. Wiseman made a motion to approve the hiring a security officer for certain cases. Discussion ensued. Mr. Willoughby made a motion to table this until further research. Ms. Wiseman dropped her motion. Mr. Jackson seconded Mr. Willoughby's motion and the motion carried.

Ms. Wiseman made a motion to accept the Executive Director's report. Mr. Byrd seconded and the motion carried.

Old Business: Mr. Byrd requested research into how all applications on the Board's website could be made more interactive. Mr. Burke will contact Mr. Miranda and report back to the Board.

New Business: There was none.

Mr. High asked if there were any public comments. Mr. Stegall thanked the Board and staff for the review of their proposals and stated he was available to meet and discuss them at any time.

The Board then recessed until the 1:00 hearings.

Harris High, President

Ken Stainback, Secretary