

## REGULAR BOARD MEETING

### MINUTES

May 9, 2012

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

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

Also Present: Stephen N. Dirksen, General Counsel, Herb Reichlin with Funeral Consumers Alliance, Fred Jordan with NC Eye Bank, Pat Hayes with North Carolina Funeral Directors Association, Dorman Caudle with Carolina Donor Services, Jack Nichols, attorney, Jeff Gray, attorney, and Lyn Cochrane.

Ms. Wiseman called the meeting to order at 9:08 and led the Pledge of Allegiance. Ms. Wiseman had the invocation and read the Ethics Awareness & Conflict of Interest statement. Ms. Wiseman and Mr. Willoughby both stated they had attended the House of Representatives for the National Funeral Directors & Morticians Association. Mr. Stainback attended the District 6 North Carolina Funeral Directors Association meeting.

Guests introduced themselves and Ms. Hayes invited Board members to attend the NCFDA Conference next week.

Ms. Wiseman stated she would move the Traineeship Committee report and Personnel Committee report after the Executive Directors Report to give Mr. Nichols time to get here for the Personnel Committee.

Mr. High presented the April 11<sup>th</sup> minutes. Ms. Wiseman stated there were two corrections. Paragraph 4 on Page 1, last sentence the word "and" should be changed to Board. The second correction was on Page 2 under New Business. The name of the mutual burial association needed to be verified. Ms. Cochrane stated she would do that at the recess. Mr. Stainback made the motion to accept the minutes with the corrections. Mr. Shields seconded and the motion carried.

Preneed Committee: Mr. High reviewed the report. There are 170,587 active contracts as of May 8, 2012; 659 licensed preneed funeral establishments; and 1,638 individuals licensed to sell preneed as of May 8, 2012. Mr. High made the motion to accept the preneed report as presented. Mr. Aldridge seconded and the motion carried.

Disciplinary Committee: Ms. Wiseman presented the report and Mr. Dirksen stated there was one addendum. Mr. High made the motion to accept the recommendations for V09-042, V12-016, V12-019, V11-018, M12-012, M09-027, M11-018, and M12-011. Mr. Stainback seconded and the motion carried. Mr. Willoughby made the motion to accept the recommendations for the addendum that includes M11-027 and M12-001. Mr. High seconded and the motion carried.

Finance Committee: Mr. Willoughby reviewed the financials. Line item 5120 may need to be reviewed closer to the end of the year since Board travel was up due to the additional meetings. Discussion ensued regarding office construction.

Mr. Willoughby stated the Committee had met regarding the request of an inspector to attend a conference. They denied the request since it was not relevant to the inspector's current position.

Mr. Willoughby made the motion to approve the report and Mr. High seconded. Motion carried.

Exam Committee: Mr. Stainback stated four applicants qualified to take the Laws & Rules Exam but there were no results as of May 8, 2012. This report was for information only.

Laws & Rules Committee: There was no report.

Other Committee Reports: There were no reports.

Attorney Report: Mr. Dirksen presented his report. There were seven hearings scheduled. Two were settled during the Disciplinary Committee report, one requested a continuance and had met the criteria for first continuance. The other four would be heard today. Questions ensued regarding how to decrease the number of active files. Mr. Dirksen will try to schedule two hearings at a time with one being a shorter hearing.

Executive Directors Report: Mr. Dirksen presented the report.

Establishments: New–Lawson Mortuary, Burlington; Community Funeral Home, Kenly; Richmond Funeral Home, Monroe

Change of Ownership: West & Dunn Funeral Homes, Newton Grove and Benson

New Funeral Service Licensees: Kimaada McLeod, Stephen Austin, Milton Tellington, Jr., Analise Bahneman

New Funeral Director Licensees: Karen Jenkins, Fred Robinson, William Staton

New Trainees: Alice Dickens, Johnny Hussey, Jessica Brewer, James Fraley, Samuel Gregory, Anthony Arledge, John Tallent

Mr. Aldridge made the motion to approve the Attorney Report and the Executive Director Report.

New Business: There was none.

Ms. Wiseman called for a recess in order for the Trainee Committee to meet. At this time Jack Nichols entered the meeting.

Ms. Wiseman reconvened the meeting and reported the Trainee Committee had met prior to the Board meeting with three trainees and with one trainee detained due to traffic conditions. Recommendations for Trainee 1 and Trainee 4 were to resume traineeship effective June 1. Trainee 2 and 3 would restart effective June 1. Ms. Wiseman made the motion to accept the recommendations and Mr. High seconded. The motion carried.

Old Business: As previously requested, Mr. Dirksen reported the owner of one of the new funeral homes is a licensee and could use the funeral home name registered with the Board. Questions ensued.

Mr. High stated the name of the mutual burial association in the April minutes is the correct name.

Mr. Dirksen stated Boyce, Newell completed the audit and will notify him when they will meet with the Board President.

Informational Items: Ms. Wiseman stated she had received three thank you notes. One from a person they had interviewed and two from Board staff.

Mr. Willoughby stated he has been invited to serve on the Standard Sitting Meeting in Rogers, Arkansas, for the International Conference of Funeral Examining Boards June 3 through June 6 at no cost to the Board. Board members congratulated him.

Public Comment: There was none.

Mr. Combs made the motion to go into closed session to consider the qualifications, competence, performance, character, fitness, conditions of initial employment of an individual, public officer or employee or prospective public officer of employee; or to hear or investigate a complaint, charge, or grievance by or against an individual, public officer or employee. General personnel policy issues may not be considered in closed session. Mr. Willoughby seconded and the motion carried.

At this time Jeff Gray entered the meeting.

Upon motion by Mr. Willoughby and second by Mr. High, the Board returned to open session. Ms. Wiseman stated Board had made a decision regarding the new Executive Director but the name would be withheld pending the background check. Mr. Willoughby made the motion to accept the action of the closed session. Mr. Combs seconded and the motion carried.

Ms. Wiseman recessed the meeting in order to set up for the 11:00 a.m. hearing.

After the hearings the regular board meeting reconvened. Discussion ensued regarding the new doors. The contractor will send in a quote on the upgrade and the Executive Committee will make the decision.

The Board went back into closed session to consider the qualifications, competence, performance, character, fitness, conditions of initial employment of an individual, public officer or employee or prospective public officer of employee; or to hear or investigate a complaint, charge, or grievance by or against an individual, public officer or employee. General personnel policy issues may not be considered in closed session.

Upon proper motion the Board returned to open session. There was no action taken in the matter discussed in closed session but it will be turned over to the Finance/Personnel Committee. The meeting was adjourned at 4:30 p.m.

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J. T. Willoughby III, Vice-President

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Harris High, Secretary