

REGULAR BOARD MEETING

MINUTES

May 7, 2014

The North Carolina Board of Funeral Service met for a duly scheduled Board Meeting at 9:00 a.m. on May 7, 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; John Shields, Charles Graves, Elizabeth Williams-Smith, Tryphina Wiseman. Present via Teleconference: Stephen Aldridge III. Absent: Lawrence Jackson III.

Also Present: Peter M. Burke, Executive Director; Stephen N. Dirksen, General Counsel; Patricia Hayes with North Carolina Funeral Directors Association; Dorman Caudle with Carolina Donor Services; Funeral Service Licensee Fred Jordan; Lyn Cochrane and Angela Rubbo.

Mr. Byrd called the meeting to order at 9:10 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.

Ms. Wiseman and Mr. Stainback stated they had attended a meeting on HB808 the Funeral and Cemetery Regulation on April 23.

Ms. Wiseman and Ms. Williams-Smith attended a Board of Directors Meeting of the FD&MA of NC, Inc. in Durham on April 9.

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

Mr. Combs presented the March 12 and April 16, 2014, minutes. Mr. Combs made the motion to accept the minutes and Mr. Graves seconded. The motion carried.

Preneed Committee: Mr. Byrd stated the committee reviewed two consumer requests to revoke their contracts and have funds moved out of state via e-mail on May 2. Committee recommended approval.

There are 651 licensed preneed funeral establishments, 1,655 individuals licensed to sell preneed as of May 5, 2014 and 171,477 active contracts. Two new funeral homes have been issued their preneed establishment licenses: Cornerstone Cremation, Funerals & Celebrations in Lenoir and Omega Funeral Service & Crematory in Burlington. Ms. Wiseman made the motion to approve the recommendation and the preneed report. Mr. Graves seconded and the motion carried.

Traineeship Committee: Ms. Wiseman stated the Committee met prior to the Board Meeting with one trainee that was late with work reports. Committee recommends loss of the two months that were late and resume traineeship on June 1, 2014. Ms. Wiseman the motion to approve and Mr. Stainback seconded. The motion carried.

Disciplinary Committee: Ms. Wiseman stated the Committee met via teleconference on May 1 and the report had been sent to Board members. Ms. Wiseman made the motion to accept the recommendation for C13-021, C13-091, M13-011, C14-011, C14-014, C14-015. Mr. Combs seconded and the motion carried.

Ms. Wiseman made the motion to accept the recommendations for the Letters of Caution for 12-050, C14-008, M14-009, M14-010. Mr. Stainback seconded and the motion carried.

Mr. Stainback made the motion to accept the recommendation for M14-006. Ms. Wiseman recused herself from the vote and did not participate. Mr. Graves seconded and the motion carried.

Ms. Wiseman made the motion to accept the recommendations for the Notices of Hearing for V12-076, C14-002, C14-010, M14-008, M14-011, M14-012. Mr. Combs seconded and the motion carried.

Ms. Wiseman made the motion to accept the recommendations for the Addendum for V10-061, M14-001, M14-007. Mr. Stainback seconded and the motion carried.

Laws and Rules Committee: Mr. Stainback stated the committee had not met since March 10. Mr. Stainback attended the meeting of the Committee on Funeral and Cemetery Regulation in Raleigh on April 23. This report was for information only.

Attorney Report: Mr. Dirksen presented his report and stated the report was for information only. There is a 10:00 a.m. and 1:00 p.m. hearing today. There are no Thursday hearings—3 were settled, 4 were dismissed and 2 were continued.

Mr. Dirksen stated the Supreme Court case opinion regarding prayer during meetings would be reviewed for the July meeting.

Executive Director's Report: Mr. Burke presented the following information.

New Funeral Establishments: Midstate Cremation Service, Asheboro; First Choice Funeral Home, Murfreesboro.

New Crematories: Harnett Crematory LLC (change of ownership), Lillington.

New Funeral Service Licensees: Larry Skipper, Natarsha Merritt, Jeffrey Rynaski, Amy Fox, James Quick, Ashley Workman.

New Funeral Director Licensee: Daron Holland, Anthony McElveen.

New Trainees: Samuel Robertson, Barbara Thompson, Walter Johnson, Jr., Nikita Jenkins, Brandon Akridge, Kenneth Newberry, Denise Grandolfo, Larry Chason, Jerry Mills III, Tammie Ginn-Walker, Kristina Sloan, Dexter Privette, Randelle Rennecker, Benny Hill, Trinetta Cherry-Whitaker, Whitney Everhart, James Noble, Sasha Bobbitt, Monroe Kelsey III, Erica Sharp, Austin David, Catherine Poole, Keri Rickett.

New Transport Registrations: Holly Queen, Morris Freeman, Zachary Payne, Ronald Prioleau, James Landis.

Mr. Burke and Mr. Stainback attended the House Committee on Funeral and Cemetery Regulation on behalf of the Board in Raleigh on April 23 at the Legislative Office Building. The full committee was not in attendance. All who spoke were opposed to the legislation.

Mr. Burke spoke to Mr. Stevens the lobbyist for S403 (Prudent Man bill). Mr. Stevens noted a new draft of the bill would be forthcoming. As requested by the Board, Mr. Burke polled other states to see if they allow this type of funding. Two of the fifteen that responded allowed it and the others did not; one required a \$50,000 bond but their preneed is managed by their Department of Insurance.

The report to the US Census Bureau for the Annual Survey of Public Employment & Payroll was submitted in April.

Mr. Burke presented a CE program for the North Carolina Funeral Directors Association District 11 on April 16 regarding FTC rules and upcoming legislation. There were thirty-five in attendance.

Mr. Burke will be a panelist at the NCFDA Educational Conference & Expo in Wilmington on May 14.

Finance/Personnel Committee: Mr. Combs reviewed the monthly financials and stated the committee had met via teleconference call on Thursday, May 1 to discuss personnel matters.

Mr. Combs made the motion to go into closed session to discuss a personnel matter. Ms. Wiseman seconded and the motion carried.

Upon proper motion, the Board returned to open session. There was no action taken.

Mr. Byrd called for a brief recess.

Old Business: There was none.

At this time Attorney Jeff Gray entered the meeting.

New Business: Discussion ensued regarding the Board meeting every other month. The Board members will discuss this further at the July meeting.

Mr. Byrd read a Resolution of Appreciation for Elizabeth R. Stegall, staff employee since 1990, who passed away March 14th. This will be presented to her husband, Larry Stegall.

Public Comment: There was none.

At this time the Board recessed to prepare for the hearings.

After the hearings Ms. Wiseman made the motion to go into closed session to discuss a personnel matter. Mr. Graves seconded and the motion carried.

Mr. Graves made the motion to return to open session and Mr. Stainback seconded. The motion carried. There was no action to report.

At 3:03 Mr. Combs made a motion to adjourn. Mr. Stainback seconded and the motion carried.

M. Kelly Byrd, President

J. Broadus Combs, Secretary