

## BOARD MEETING

### MINUTES

November 4, 2015

The North Carolina Board of Funeral Service met for a duly scheduled Board Meeting at 9:00 a.m. on November 4, 2015, at the Board's office, 1033 Wade Avenue, Suite 108, Raleigh, North Carolina.

Present: Ken Stainback, President; Stephen Aldridge, Vice President; Elizabeth Williams-Smith, Secretary; Charles Graves, Joe Clay, Valdus Lockhart, Broadus Combs, Kelly Byrd, and Craig Olive.

Also Present: Peter M. Burke, Executive Director; Christina Cress, General Counsel; Staff members Lyn Cochrane, Dara Warner, and Susan Mitchell; Dorman Caudle with Carolina Donor Services, and Fred Jordan with Miracles in Sight.

Mr. Stainback called the meeting to order at 9:10 a.m. and read the Ethics Statement. Mr. Lockhart attended an Administration and Finance meeting for the National Funeral Directors and Morticians Association, Inc. in Atlanta, Georgia.

Mr. Stainback led the Pledge of Allegiance and asked for a moment of silence.

As a reminder, Mr. Stainback mentioned time was running out for obtaining the required continuing education.

Minutes: Ms. Smith stated the minutes for the September 14 meeting had been previously submitted to Board members and if there were no corrections made the motion to approve them. Mr. Graves seconded and the motion carried.

Preneed Committee: Mr. Byrd stated the report was for information only.

There are 653 licensed preneed funeral establishments and 1,720 individuals licensed to sell preneed as of November 2, 2015. There are 175,110 active contracts as of November 2, 2015.

Discussion ensued regarding the number of inspections/examinations performed for 2015 with 4 inspectors compared to 2014 with 3 inspectors. Mr. Burke will submit this information later in the meeting.

Finance/Personnel Committee: Mr. Aldridge reviewed the financials and made the motion to approve the report. Mr. Graves seconded and the motion carried.

Disciplinary Committee: Ms. Smith presented and reviewed the cases. Mr. Byrd made the motion to accept the recommendations for V07-019 and concurrent cases V07-053, V12-011, C14-017, C15-019, M15-001; V07-053 and concurrent cases V07-019, V12-011, C14-017, C15-019, M15-001; M09-015; V10-058; C13-010 and concurrent case C13-018; C13-018 and concurrent case C13-010; C13-025; C13-041; C13-054; C15-041; C15-070 and concurrent cases

C15-060, M15-011; C15-086 and concurrent cases DM15-026, C15-003; C15-094; V12-011 and concurrent cases C14-017, C15-019, M15-001; V12-036 and concurrent cases C15-014, C15-053; C13-048; C14-017 and concurrent cases V12-011, C15-019, M15-001; C14-025 and concurrent cases C14-036, M15-001; C14-063 and concurrent cases C14-025, M15-001; C15-019 and concurrent cases V12-011, C14-017, M15-001; C15-053 and concurrent cases V12-036, C15-014; M15-001 – Matter #1 and concurrent cases C14-025, C14-63; M15-001 – Matter #2 and concurrent cases V12-011, C14-017, C15-019; M15-021; M15-027; M15-028 and concurrent cases M10-009, M12-033, M14-016. Mr. Aldridge seconded and the motion carried.

Ms. Cress stated there was an addendum submitted by outside counsel and it was not in the Board book. Mr. Stainback called for a recess in order to get the copies. After Board members reviewed the addendum Ms. Smith reviewed the cases. Mr. Lockhart made the motion to accept the recommendations for C15-066 and concurrent cases M15-023, C15-096; C15-096 and concurrent cases M15-023 (set for December), C15-066; C15-037. Mr. Clay seconded and the motion carried.

Laws & Rules Committee: The committee met by teleconference on October 27 and reviewed and discussed staff recommended additions and adjustments to the following: a new form-- Request for Declaratory Ruling form (DR-1), revisions to renewal forms—Preneed Establishment (PN-3), Individual License (BFS-16), Funeral Establishment (BFS-17), Crematory (BFS-52), Transporter (BFS-60) and Unaffiliated (BFS-OS2003). Discussion ensued. Mr. Aldridge made the motion to accept the recommendations. Mr. Graves seconded and the motion carried.

Technology Committee: Mr. Byrd stated the committee met by teleconference on October 29 to begin discussions relative to an overhaul of Board technology capabilities. This report is for information only.

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

New Funeral Service Licensee: Ezra Dalton, Maurice Moseley, Catherine Poole, Christy Ramirez, Lori Sheeler

New Funeral Director Licensees: Harold Gates, Tammie Ginn-Walker, Joy Warren

New Trainees: Randy Black, Milton Frink, George Gilmore, Donald Gloege, Michael Ingram, Euthemia Mungo, Andrew Price, Melissa Rachels, Daisette Stroud, Danielle Turner, Timothy Williams

New Unaffiliated Licensee: Bradley Edward Wright Funeral Service Licensee

The Cremation and Preneed Contract Fee graphs were reviewed and discussed.

State of NC Form 93B-2 due October 31 was submitted October 29.

Board members were reminded to empty their notebooks of all but Ethics Statement and tabs and were reminded of the December Christmas Dinner.

Mr. Burke will be out of the office November 16-20.

The ICFSEB Annual meeting is February 24-25 in Newport Beach, California. Mr. Burke will register the attending members but travel plans should be made by the members themselves.

Attorney Report: Ms. Cress presented the report for information only. There are two hearings scheduled for today. The third was continued.

Trainee Report: Mr. Combs stated two trainees were scheduled to meet and both were no shows. Trainee #1 will stay on suspension until they come before the committee. Trainee #2 was terminated and before they can restart their traineeship, they must appear before the committee along with their supervisor. Mr. Combs made the motion to accept the recommendations. Mr. Aldridge seconded and the motion carried.

Old Business: None.

New Business: Mr. Burke presented a list of proposed Board meeting dates for 2016. Mr. Byrd made the motion to accept the meeting dates and Mr. Graves seconded. The motion carried.

Mr. Buke stated a request for a Declaratory Ruling had been requested by a software company trying to do business in North Carolina. Discussion ensued.

Mr. Aldridge made the motion to go into closed session to discuss a matter of attorney-client privilege. Mr. Lockhart seconded.

Upon motion by Mr. Lockhart and second by Mr. Graves, the Board returned to open session. Mr. Stainback stated the Board discussed a personnel matter, then an attorney-client matter, then another personnel matter. Mr. Combs made the motion to accept the recommendation made by Ms. Cress. Mr. Olive seconded and the motion carried.

Mr. Burke stated he had the 2014 – 2015 comparison figures for funeral homes and preneed establishments comparing the 3 inspectors versus 4 inspectors.

2014 with three inspectors-155 funeral homes inspected and approximately 159 preneed.  
2015 with four inspectors—234 funeral homes inspected and approximately 359 preneed.

Public Comment: None.

The Board recessed at 11:05 a.m. to prepare for the hearings.

At 4:20 p.m., upon motion by Mr. Stainback and second by Mr. Olive, the Board meeting resumed. Mr. Combs made the motion for the meeting to adjourn, seconded by Mr. Olive at 4:21.

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Valdus T. Lockhart, President

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Elizabeth Williams-Smith, Secretary