

## REGULAR BOARD MEETING

### MINUTES

November 14, 2012

The North Carolina Board of Funeral Service met for a duly scheduled Board Meeting at 9:00 a.m. on October 17, 2012 at the Board's office, 1033 Wade Avenue, Suite 108, Raleigh, North Carolina.

Present: Try Wiseman, President; J. T. Willoughby III, Vice-President; Harris High, Secretary; Ken Stainback, Stephen Aldridge III, and Kelly Byrd.

Also Present: Peter M. Burke, Executive Director, Stephen N. Dirksen, General Counsel, Larry Stegall and Pat Hays with North Carolina Funeral Directors Association, Dorman Caudle of Carolina Donor Services, Fred Jordan of NC Eye Bank, Jim Baron, Funeral Service Licensee, and Susan Mitchell, Inspector, who arrived late due to heavy traffic.

The guests introduced themselves.

The meeting was called to order at 9:03 a.m. Ms. Wiseman led the Pledge of Allegiance, had the invocation and read the Ethics Awareness & Conflict of Interest statement. No one recused themselves. Ms. Wiseman and Mr. Willoughby stated they had attended a meeting of the NC Funeral Directors and Morticians Association in Atlanta, and Mr. High stated he had attended a board meeting of the NC Funeral Directors Association in Durham.

Mr. High presented the October 17, 2012, minutes. Mr. Aldridge made the motion to accept the minutes and Mr. Byrd seconded. The motion carried.

Preneed Committee: Mr. High reviewed the report. There are 169,334 active contracts as of November 13, 2012; 660 licensed preneed funeral establishments; and 1,682 individuals licensed to sell preneed as of November 13, 2012. Since the last meeting, one new preneed funeral establishment license has been issued to City of Oaks Cremation, Raleigh. The board received the activity report as information only.

The Committee met by teleconference on Friday, November 9, 2012, to discuss the following:

An establishment has asked us to add lines to the Statement of Funeral Goods and Services form including adding the word "Packages." This is the third modification request from the same firm. This request being more generic than the others, the committee is recommending approval by the board to send the form back to staff for their input and redesign, then to be presented back to the board for approval. Mr. Willoughby made the motion to accept the recommendation of the committee, and it was seconded Mr. Byrd. Motion carried.

Mr. Stainback commented that some consumer preneed receipt notices were being received after the 30-day window. He asked staff to look at opportunities to improve turnaround or for the Board to consider whether or not the window needs to be extended to 45 or 60 days.

Traineeship Committee: There were seven (7) new trainees registered in October. Four (4) Funeral Service and three (3) Funeral Director. This report is for information only.

The committee also made recommendations for (3) three trainees. Number 1 missed two reports and is to lose September and October credits and restart in December; Number 2 missed two reports and has

asked to reschedule meeting with committee in December; Number 3 was a no show for a committee meeting for two months now, and must now meet before Board for Termination. Mr. Aldridge made the motion to accept the recommendation of the committee, and it was seconded by Mr. Byrd and the motion carried.

Disciplinary Committee: Ms. Wiseman presented the report with no addendum. Mr. High made the motion to accept the recommendations for V12-063, V12-067, M12-027, V10-062, M12-025, and M12-024. Mr. Stainback seconded and the motion carried.

Finance/Personnel Committee Mr. Willoughby reviewed the financials. Mr. Willoughby made the motion to accept the report, Mr. Aldridge seconded and the motion carried.

The committee met on November 13. The first draft of the 2013 budget was reviewed. Staff was directed to re-investigate a small number of line items and revise the proposed budget. Committee indicates budget should be ready for board review at our December meeting. This report is for information only.

Exam Committee: Mr. Stainback stated nine (9) candidates took the Laws & Rules exam in September; (8) eight passed. This report is for information only.

Laws & Rules Committee: Mr. Stainback stated the Committee had not met since October 12. This report is for information only.

Other Committee Reports: Continuing Education: The committee met via teleconference on Friday, November 2, to discuss a request from an attorney to provide a continuing education course to funeral directors entitled "Estates and Wrongful Death." Board staff had previously reviewed the course material and denied the course (originally titled "What Happens After Death-Legally Speaking?") twice based on 21 NCAC 34B.04909(a) which is the guideline for continuing education course material.

The proposed presenter edited the content and renamed the proposed course "Estates and Wrongful Death." The committee reviewed the proposed syllabus and conditionally approved it based on further editing of the course material. The committee feels much of the material is not involved with the practice of funeral service, but rather with the practice of law.

The syllabus was attached to the board members reports and the committee approved only the material in italics for the course, and feels there is sufficient content for one hour of continuing education to include only the italicized content. Mr. Byrd made the motion to accept the report, Mr. Stainback seconded and the motion carried.

Attorney's Report: Mr. Dirksen presented his report. Four hearings were scheduled for this month. Two were continued for lack of a quorum, and two by Board action. Mr. Byrd moved to accept the Attorney's Report, and Mr. Stainback seconded. Motion carried.

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

New Establishments: City of Oaks Cremation, LLC, Raleigh and Cumbo's Funeral Home, Morehead City.

New Funeral Service Licensees: James Vernon Peterson, Arthur Andrew Selllers III.

New Funeral Director Licensees: Ramona Renea Brown, Joseph Henry Coleman, Roger Wayne Marion, Alison Hudson Robinette, Karen Holloway Smith, Shellie Rae Smith.

New Trainees: William Terru Cobb, Ashley Marverite Coote, Chris Donzell Evans, Thomas Tyrone Hilderbrand, Roger Wayne Marion, Rodney Sean McKaig, Demetris Nicole Yarborough.

New Unaffiliated Registration: Robert F. Bennett Funeral Service Licensee

New Transport/Removal Registrations: None Reported

Mr. Burke reported that the new carpet in the building is to be installed over the coming weekend. Also, the new chairs for the Board room are due to be delivered in November.

Mr. Burke and Inspector Lisenbee presented a two-hour continuing education session at the NCFDA District 4 meeting in Wilmington on November 8. The session covered Preneed and The Funeral Rule. Mr. Byrd moved to accept the report, seconded by Mr. Stainback. Motion carried.

Crematory Authority Elections: At 11 a.m. the Board began the process of canvassing the votes which had come in to the board office before 4:30 p.m. on November 1, 2012. It was noted that 37 ballots were included and one ballot was disqualified because it was received on November 2, 2012.

The official count was as follows: Staton 26 votes; Fulwood 18 votes; Headley 14 votes; and McFerran received 9 votes. Staton and Fulwood were officially elected to serve on the Crematory Authority.

New Business: At this time Ms. Wiseman recognized Susan Mitchell and expressed the Board's thanks for her being present today. She was asked if there was anything we as a Board could do to improve her ability to perform her job and she expressed there was not.

Ms. Wiseman asked for clarification as to what or how many caskets must actually be on our General Price List, discussion ensued. Without a clear answer, Staff was directed to investigate and report back to the board with clarification.

Old Business: There was none.

Without any scheduled hearings, Mr. Byrd made the motion to adjourn and Mr. Aldridge seconded. The Board adjourned at 11:23 a.m.

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Tryphina Wiseman, President

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Harris High, Secretary