

REGULAR BOARD MEETING

MINUTES

November 12, 2013

The North Carolina Board of Funeral Service met for a duly scheduled Board Meeting at 9:00 a.m. on November 12, 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; Stephen Aldridge III, Tryphina Wiseman, John Shields, Kelly Byrd and Lawrence Jackson III.
Absent: Broadus Combs.

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

Mr. High called the meeting to order at 9:12 a.m., led the Pledge of Allegiance, had a generic prayer and read the Ethics Statement. Ms. Wiseman stated she had attended the Board Meeting of the National Funeral Directors & Morticians Association of NC, Inc. in Atlanta, Georgia, in October. Mr. Stainback stated he had attended the 6th District Meeting of the NCFDA in Burlington.

Mr. High asked the guests to introduce themselves.

Mr. Stainback presented the October 9, 2013, minutes. Mr. Aldridge stated there was one correction in paragraph ten on the first page and made the motion to approve the minutes as corrected. Mr. Byrd seconded and the motion carried.

The first quarter Board meeting calendar was presented for review. Mr. Byrd made the motion to approve the first quarter meeting dates of January 8 and 9, February 12 and 13, and March 12 and 13. Mr. Stainback seconded and the motion carried.

Preneed Committee: Mr. High stated the Committee met by e-mail on Thursday, November 12, 2013. Two consumers have relocated to South Carolina and requested their preneed contracts be revoked and funds transferred to a provider in South Carolina. Recommendation is to approve their request. Mr. High made the motion to approve the transfer. Mr. Byrd seconded and the motion carried.

Mr. High presented the Activity Report for information only. There are 170,970 active contracts as of November 8, 2013; 661 licensed preneed funeral establishments; 1,716 individuals licensed to sell preneed as of November 8.

Disciplinary Committee: Mr. Byrd stated the Committee met by teleconference on November 7, 2013 and presented the recommendations. There was an addendum. Ms. Wiseman made the motion to accept the recommendations for C13-068, C13-069, C13-071, C13-060, C13-063, C13-072, C13-052, M13-019, M13-020, M13-015, M13-021, and M13-022. Mr. Byrd seconded and the motion carried. Ms. Wiseman made the motion to accept the recommendations for the Addendum M13-016, M13-017, and M13-018. Mr. Byrd seconded and the motion carried.

Finance/Personnel Committee Mr. Willoughby stated the Committee last met by teleconference on July 1. Mr. Willoughby reviewed the monthly financials and submitted them for information only. Discussion ensued.

Traineeship Committee: Ms. Wiseman stated the Committee had met prior to the Board meeting. Trainee 1 had missed two reports. Committee was recommending miss one month and resume traineeship on December 1. Trainee 2 was on suspension for missed reports and had not responded to letters from the Board. In addition, trainee's permit had expired; fee to reapply was submitted but the associated paperwork was not. Recommendation is for Trainee 2 to lose four months traineeship, suspension be lifted and resume December 1. Two trainees did not appear. Mr. Byrd made the motion to accept the recommendations. Ms. Wiseman seconded and the motion carried.

Discussion ensued regarding protocol for completing traineeship and taking the exams.

Attorney Report: Mr. Dirksen presented his report and stated the report was for information only. The three hearings for today and Thursday were settled by signed consent orders. One Thursday morning hearing was settled by consent order but there was still one hearing at 9 a.m. and one at 1 p.m.

Discussion ensued regarding consent orders.

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

New Funeral Establishments: Carolina Cremation, LLC, Charlotte (pending); Gaskin Funeral Services, LLC, Matthews.

New Funeral Service Licensees: Terri McLean, Drew Shaver.

New Funeral Director Licensees: Thomas Nesbit, Crystal Odham, Dan Smith, Jr., Nancy Swain.

New Trainees: Shawna Austin, Zachary Chapple, Clarence Hunt II, Patrick Kelly, Dewey McNeill, Zachary Phillips, Raymond Randolph, Jr., Kelly Runke, Laura Spencer, Donzell Woodard.

Exam Notes: Five applicants were eligible to take Laws & Rules Exam. As of 11-08-13, two passed, one failed, no results for two.

Three Crematory Authority members' terms will expire December 31, 2013. One Board member will be appointed as a member. One candidate has filed the proper paperwork and has no one running against him so he can be appointed. Two candidates did not send in proper paperwork. Discussion ensued. Due to a lack of properly executed candidate applications, the Board can appoint members to the Crematory Authority to fill vacancies.

Mr. Aldridge made a motion to nominate Harris High to the Crematory Authority. Mr. Willoughby seconded and the motion carried. Mr. High recused himself from discussion and did not vote.

The card to notify funeral homes about the new Death Certificate was mailed in October.

The Board President's Christmas dinner is scheduled for December 10th At Winston's Grille. RSVP to Mr. Burke or Ms. Cochrane by December 4th.

Legislative Research Committee has commissioned a committee of 14 members to study Boards and Commissions and their consolidation with a deadline of 2015. HB74 requires all Rules in the Administrative Code to be reviewed. The Board has 106 rules to be reviewed in a process to begin in 2014. Mr. Burke and Mr. Dirksen attended a meeting last week.

The Occupational Licensing Board Financial Report was due October 31 and was submitted October 29, 2013.

The International Conference of Funeral Service Examining Boards will increase their fees effective January 1, 2014 to \$500 for National Board Examination (full); \$250 for National Board Examination Arts; \$250 National Board Examination Science.

Old Business: Mr. Byrd had questions about the testing centers. Discussion ensued.

At this time Ms. Rubbo entered the meeting.

Mr. Byrd asked about the timeline for the Crematory Manual. Mr. Burke stated it was on target for completion.

Mr. Byrd asked about the Preneed online annual report. Mr. Burke stated it was on target for completion.

New Business: Mr. Byrd discussed a committee to look into filing preneed contracts online with credit card payment and a complete technology update to these filings. Discussion ensued. This task will be given to Laws and Rules for study.

Public Comment: There was none.

Mr. High called for a five-minute recess.

Upon return, Mr. Byrd made the motion to go into closed session to discuss the qualifications, competence, performance, character, fitness, and conditions of employment of an employee. Mr. Willoughby seconded and the motion carried.

Mr. Byrd made the motion to return to open session and Mr. Combs seconded. Mr. Stainback stated a personnel performance matter had been discussed in closed session.

Mr. Byrd made a motion to adjourn and Mr. Aldridge seconded. The meeting then adjourned at 10:55 a.m.

Harris High, President

Ken Stainback, Secretary