

REGULAR BOARD MEETING

MINUTES

July 10, 2013

The North Carolina Board of Funeral Service met for a duly scheduled Board Meeting at 9:00 a.m. on July 10, 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; Kelly Byrd, Stephen Aldridge III, John Shields, Tryphina Wiseman, Broadus Combs and Lawrence Jackson III.

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, Michael Rulison with Funeral Consumers Alliance of the Triangle and Lyn Cochrane.

Mr. High called the meeting to order at 9:20 a.m., led the Pledge of Allegiance, had the invocation and read the Ethics Awareness & Conflict of Interest statement. Ms. Wiseman and Mr. Willoughby stated they had attended the Funeral Directors & Morticians Association of N. C., Inc. annual convention in Wilmington.

Mr. High asked the guests to introduce themselves and asked if there was any public comment. There was no comment.

Mr. Stainback presented the June 12, 2013, minutes. Mr. Combs made the motion to approve and Mr. Byrd seconded and the motion carried. Mr. Stainback presented the June 24, 2013, minutes. Mr. Dirksen stated there was one correction. Under Disciplinary Committee instead of Notice of Hearing it should read "report." Mr. Byrd made the motion to approve the minutes with this correction. Mr. Combs seconded and the motion carried.

Preneed Committee: Mr. High stated the Committee last met by teleconference on July 1, 2013 29 to review a preneed establishment's documentation of solvency and request to discontinue their bond. The firm was licensed in July 2012. Mr. Aldridge made the motion to approve the request and Mr. Byrd seconded. The motion carried.

There are 171,201 active contracts as of July 10, 2013; 661 licensed preneed funeral establishments; and 1,697 individuals licensed to sell preneed as of July 10, 2013. Mr. High stated this report was for information only. Discussion ensued.

Traineeship Committee: Committee met prior to the Board Meeting. Trainee # 1 was late with two reports and was working more as an office administrator than as a trainee. Recommendation is to start traineeship over and trainee agreed. Trainee # 2 was late with two reports. One report was postmarked properly so recommendation is to restart July 1 with loss of credit for one month. Trainee # 3 did not appear and suspension remains in effect. Trainee # 4 provided proper documentation as requested at last Traineeship Committee meeting and will restart where they stopped. Mr. Byrd made the motion to accept the recommendations for the four trainees and Mr. Jackson seconded. The motion carried.

Disciplinary Committee: Ms. Wiseman stated the Committee met by teleconference on July 5 and presented the recommendations. There was an addendum. Ms. Wiseman recused herself

from discussion and vote on C-13-044. Mr. Byrd made the motion to accept the recommendation for C13-042, C13-043, C13-047, C13-014, C13-038, C13-024, C13-046, and M11-016. Mr. Willoughby seconded and the motion carried. Mr. Byrd made the motion to accept the recommendation for M13-044. Mr. Willoughby seconded and the motion carried. Ms. Wiseman did not participate or vote. Mr. Byrd made the motion to accept the Addendum V12-081 and concurrent cases C13-012 and M13-004. Mr. Stainback seconded and the motion carried.

Discussion ensued regarding transport complaints and how they are to be handled.

Finance/Personnel Committee Mr. Willoughby stated the Committee met by teleconference on July 1, 2013 to review the 2012 financial audit presented by Furr & Newell. Committee recommended approval of the audit. Mr. Willoughby made the motion to accept the recommendation and Mr. Aldridge seconded. The motion carried.

Mr. Willoughby reviewed the monthly financials and submitted them for information only. Discussion ensued.

Laws and Rules: Mr. Stainback stated there was no report.

Attorney Report: Mr. Dirksen presented his report and stated the report was for information only. There will be no hearings today or Thursday since a consent order had been received.

Discussion ensued regarding funeral homes that have not been inspected in several year, costs incurred with consent orders, and adoption of consent orders which result in last-minute cancellations of hearings.

At this time Mr. High recessed. The meeting reconvened at 10:45.

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

New Establishments: Cremation Society of Charlotte, Charlotte

New Chapels: The Mulkey Hertford Chapel, Hertford

New Crematory: First Cremation Society, Louisburg

New Funeral Service Licensees: Karen Bell, Ryan Bumgarner, Jessica Richardson

New Funeral Director Licensees: Sharon Burden, Charles Gibbs, Cody McCain, Brian Michael

New Trainees: Michael Braden, Michael Bryant, Christine Howell, Douglas Huntley, Willie Johnson Jr., Christopher King, Reginald Shute, Robert Staples, Kimberly Williams

New Transport/Removal: Curtis Neal

Exam Notes: Seven applications were eligible to take Laws & Rules Exam. No results as of 7-9-13.

Mr. Burke presented a revised agreement between the Board and Fayetteville Technical Community College that was originally discussed at the May 2013 meeting. Discussion ensued. Mr. Aldridge made the motion to approve the agreement. Mr. Byrd seconded and the motion carried. Mr. Burke will submit the agreement to FTCC for their review.

Mr. Burke stated there were no changes on Legislation Matters H460 Deceased Voters, H660 Funeral processions, H622 Board membership, H808 Merger of NCBFS and Cemetery Commissions, H811 Amend funeral service laws and S403 Prudent Investor Act and preneed. Telephone calls with questions on H811 and S403 were responded to by Mr. Burke.

Mr. Burke and Inspector Brett Lisenbee staffed a booth at the FD&MA of NC, Inc. annual convention in Wilmington on June 25 and 26.

Mr. Burke is on the Ad Hoc Committee for a model practice act for the International Conference of Funeral Service Examining Boards and will be attending the committee meeting by teleconference on July 22.

Requests for public records from the media and other sources were being handled as required.

Discussion ensued regarding the new death certificates and inspector reports.

Old Business: There was none.

New Business: There was none.

Mr. Aldridge made the motion to go into closed session to consider the qualifications, competence, performance, character, fitness, and conditions of employment of an employee. Ms. Wiseman seconded and the motion carried.

Ms. Wiseman made the motion to return to open session and Mr. Byrd seconded. Mr. High stated that a personnel performance matter had been discussed in closed session.

With no further business to discuss, Mr. Aldridge made a motion to adjourn and Mr. Combs seconded. Meeting adjourned at 12:35 p.m.

Harris High, President

Ken Stainback, Secretary