

## REGULAR BOARD MEETING

### MINUTES

September 11, 2013

The North Carolina Board of Funeral Service met for a duly scheduled Board Meeting at 9:00 a.m. on September 11, 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, Broadus Combs, John Shields, and Kelly Byrd.  
Absent: 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, Jane Porter with Indy Week, Lyn Cochrane and Angela Rubbo.

Mr. High called the meeting to order at 9:10 a.m., led the Pledge of Allegiance, had a generic prayer and read the Ethics Statement. No one recused themselves.

Mr. High asked the guests to introduce themselves. At this time Mr. Harris asked for a moment of silence to honor the 9/11 tragedy.

Mr. Stainback presented the August 14, 2013, minutes. Mr. Combs made the motion to approve and Mr. Byrd seconded and the motion carried.

Traineeship Committee: Ms. Wiseman stated the Committee met by teleconference on Monday, September 9. Discussed was a trainee whose first two monthly reports were late. The trainee admitted to the problem with the first report but did not understand why the second report was late because it was notarized on time. The recommendation is to restart the trainee in September and trainee loses the two months for which reports were received late. Ms. Wiseman made the motion to accept the recommendation. Mr. Byrd seconded and the motion carried.

Disciplinary Committee: Mr. Byrd stated the Committee met by teleconference on September 5 and presented the recommendations. There was an addendum. Mr. Byrd made the motion to accept the recommendations for C13-039, C13-057, C13-061, C13-064, C13-067, V12-064, C13-015, V12-009 and concurrent cases V12-009 and C13-034, C13-045, and M13-017. Mr. Shields seconded and the motion carried. Mr. Byrd made the motion to accept the recommendations for the Addendum M13-015, C13-029, C13-046, and M13-001. Mr. Combs 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.

Laws & Rules Committee: The Committee met by teleconference on Wednesday, September 4 to review and discuss the written public comments which were received during the Public Comment period regarding the proposed fee increase. The Committee does not feel the comments warrant any changes to the proposed fee structure and recommends adopting the rule as published in the North Carolina Register, Volume 28 Issue 01 dated July 1, 2013. Mr. Willoughby made the motion to accept the recommendation and Mr. Byrd seconded. Motion carried.

Attorney Report: Mr. Dirksen presented his report and stated the report was for information only. Hearings for today and Thursday were settled by the eight signed consent orders and one continuance by the Board's regular process and two continuances approved by Mr. High. Mr. Stainback commended Mr. Dirksen and Ms. Rubbo on the work done to reduce the number of cases.

Mr. Dirksen presented a policy change to now allow the presiding officer to approve all continuance requests on a case by case basis. Discussion ensued. Ms. Wiseman made the motion to accept the recommendation. Mr. Aldridge seconded and the motion carried.

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

New Establishments: Gate City Cremations, Greensboro; East Carolina Mortuary Services, Greenville; Altmeyer Funeral and Cremation, Wilmington; Cumbo's Funeral Home, Morehead City.

New Funeral Service Licensees: Richard Griffin (converted to FS), Joseph Haskins, Timothy Martin.

New Funeral Director Licensees: Johnny Hussey.

New Trainees: Jon Andrews, Robert Hinz, Larry Mann, Cameron McCaslin, Troy Mercer, Gilda Robertson, Elizabeth Singletary and Nathaniel Soulsby.

New Unaffiliated License: Christopher H. Noe.

New Courtesy Cards: Meghan King and Timothy Smith.

Exam Notes: Nine applicants were eligible to take Laws & Rules Exam. As of 9-9-13, three have tested and all failed.

Mr. Burke will meet with Vital Records next week regarding the new online death certificates.

New state travel rates were effective July 1, 2013: Breakfast \$8.20, Lunch \$10.70, and Dinner \$18.40.

Mr. Burke presented the Preneed Report. There are 170,456 active contracts as of September 9, 2013; 663 licensed preneed funeral establishments; and 1,705 individuals licensed to sell preneed as of September 9, 2013.

Information Items: The International Conference of Funeral Service Examining Boards—Conference Model Practice Act Committee—will meet December 4 thru 6 in San Diego. Mr. Burke and Mr. Byrd are on this committee.

The Fatality Management Planning Committee has not named a replacement for Mr. Leicester, who resigned in August.

Three upcoming State reports are due: Lease-Purchases Inventory due 9/23 and submitted 9/6; Directory of NC Licenses & Permits due 10/11; and Occupational Licensing Board Financial Report due 10/31.

Questions ensued regarding preneed contracts, examinations, new funeral homes with trainees, the preneed online annual report and inspectors doing a “pre-sale” funeral walk through.

Old Business: There were questions and discussion regarding the completion of a death certificate and the new online death certificate.

New Business: Mr. Aldridge discussed the possibility of having a general price list form, casket price list form and out of burial container form set up in Excel on the Board’s website. Mr. Burke stated the cost of having it set up and the actual use would be cost prohibitive.

Mr. Combs questioned the process of electing Board officers for 2014. Discussion ensued.

Public Comment: There was none.

Mr. High called for a five-minute recess. Upon return, Mr. High presented Board staff inspector, Susan Mitchell, with a ten-year gift and congratulations.

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

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

Mr. Dirksen stated an Mutual Burial Association had signed a consent order and paid the late MBA assessment. The report was late due to illness of an employee. \$2575 will be paid over a period of six months. If it is not paid, the Association will be required to dissolve. Mr. Aldridge made the motion to accept the consent order for Case M13-001. Mr. Stainback seconded and the motion carried.

Mr. Willoughby made a motion to adjourn and Mr. Combs seconded. The meeting then adjourned at 12:41.

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Harris High, President

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Ken Stainback, Secretary