

Georgia Board of Funeral Service
Board Meeting July 19, 2016
Professional Licensing Boards Division of the Secretary of State
237 Coliseum Drive, Macon, Georgia 31217

Members Present:

- Bryant Hightower, Chair
- Tom Lord, Vice-Chair
- W T Edmondson
- Joe Westbury
- Michael Fowler
- Nancy Kennedy

Others Present:

- La Trena Tyler-Jones, Executive Director
- Reagan Dean, Assistant Attorney General
- Sandy Barboza, Board Support Specialist
- Carla Murray, Licensing Analyst
- Josh Waters, Operations Manager

Members Not Present

- William Bowen

Note: Visitors are excused during Executive Session unless scheduled for a personal appearance.

OPEN SESSION:

Bryant Hightower, Chair, noted a quorum was present, called the meeting to order at 10:00 a.m. and declared the meeting to be “open” pursuant to the Open and Public Meeting Act, O.C.G.A. §§50-14-1 et seq.

Agenda:

The Board reviewed the Agenda for the July 19, 2016 meeting. W T Edmondson motioned, Nancy Kennedy seconded, and the Board voted unanimously to approve the agenda.

Minutes:

The Board reviewed the minutes from the June 14, 2016 meeting. Tom Lord motioned, Nancy Kennedy seconded, and the Board voted unanimously to approve the Open Meeting minutes and the Executive Session minutes.

Licenses Issued Report:

The Board reviewed the following Report of Licenses Issued: 06-11-2016 thru 07-14-16 (Total – 30):

License #	Licensee
EMB005068	Jason Derrick Foskey
EMB005069	Olivia Moon Harris
EMB005070	Samuel Wesley Markham
EMB005071	Alonzo Latron McMillian
EMB005072	Charles Daniel Flynn
EMB005073	Jamie Katelyn Peacher
FD005470	Jason Derrick Foskey
FD005471	Olivia Moon Harris
FD005472	Samuel Wesley Markham
FD005473	Charles Daniel Flynn
FD005474	Jamie Katelyn Peacher
FD005475	Alonzo Latron McMillian
FEST001955	Poole Funeral Home & Cremation Services
FEST001956	V.E. Glover Funeral Services LLC
FEST001957	Jacobs Mortuary

License #	Licensee
FSA005998	Bruce Milligan
FSA005999	Christy D Cadwell
FSA006000	Albert Wade Smallwood
FSA006001	Dallas Denise Truelove
FSA006002	John Bradley Kile
FSA006003	Brianne Renee Finn
FSA006004	Conner Marie Everidge
FSA006005	Anna Elise Gatch
FSA006006	Aenon Shanti Meyers
FSA006007	Bolt Ben Russell VanDalsem
FSA006008	Channing Shea Hatmaker
FSA006009	Dusty Ambrous West
FSA006010	Karen Anita Rawles
FSA006011	Everett James Huffman
FSA006012	Regina Alicye Tyson

Georgia Board of Funeral Service
Board Meeting July 19, 2016
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Michael Fowler motioned, Tom Lord seconded, and the Board voted unanimously to ratify the licenses by application and reinstatement that were issued in accordance with Board Rules and Policies.

EXECUTIVE SESSION:

Michael Fowler motioned, W T Edmundson seconded, and the Board voted unanimously to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-19(h) and 43-18, for the purpose of conducting applicant appointments, discussing and reviewing applications, complaint cases, and the Attorney General's report.

At the conclusion of the Executive Session, Bryant Hightower declared the meeting to be "open" pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq. No votes were taken during Executive Session.

W T Edmondson motioned, Tom Lord seconded, and the motion was carried by the Board to ratify the following recommendations made during Executive Session:

Appointments:

Appearance # 2618622 Woodstock Funeral Home Inc., change FDFCC to Tiffany A.R. Haynes, approved.

Appearance # 2626090 Low Country Cremation Services and Burial, change FDFCC to Susan R.R. Waters, approved.

Appearance # 2618100 & 2618103, M.D.J., Funeral Director / Embalmer, denied. Resubmit correct application.

Appearance # 2624332 Byrnes-Royall Funeral Home Inc., change FDFCC to Davida Harris, approved. Fine waived, applicant appeared at June meeting. Application was tabled at that time.

Appearance # 2626829 The Crematorium @ P.C.S., change FDFCC to Paul Jonathan Marks, approved*.

Appearance # 2627289 Miller Funeral Home, change FDFCC to Melinda S. Miller-Moats, approved.

Appearance # 2627953 Davis-Struempf Funeral Home & Crematory, change FDFCC to Richard K. Struempf, approved. Withdrawal letter from previous FDFCC must be submitted.

Appearance # 2627488 Adams Funeral Home, change FDFCC to Latonia R. Rucker, approved.

OPEN SESSION:

W T Edmondson motioned, Joe Westbury seconded, and the Board voted to enter into Open Session to receive advice regarding trust funds for funerals. Josh Waters, Operations Manager, discussed rules governing pre-need funds, probationary status, and annual reports (214.3.1).

EXECUTIVE SESSION:

Michael Fowler motioned, W T Edmundson seconded, and the Board voted unanimously to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-19(h) and 43-18, for the purpose of conducting

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237 Coliseum Drive, Macon, Georgia 31217

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Appearance # 2626825 Smith Steele Meadows Funeral Home Inc., change FDFCC to Donald M. McDearmid, approved. Suspension lifted with a consent order. 2 years' probation, furnish annual reports for both locations within 30 days and a public reprimand.

Appearance # FEST000757 King and Sons Funeral Home, 90-day hardship extension, approved.

Appearance # 2628845 Platt's Funeral Home Belair Road, change FDFCC to Kurt T. Boyd, approved.

Appearance # 2629996 Wingfield Funeral Home, change FDFCC to James S. Baker, approved.

*Tom Lord recused

Applications:

Application # 2625721 Burden's Funeral Home, change of location, approved.

Application # 2626831 C.A. Reid Sr. Memorial Crematory, reinstatement approved with a consent order, \$1,000 fine and 2 years' probation.

Application #'s 2626834 & 262835, B.A.J., Funeral Director & Embalmer, denied licensure by reciprocity – does not qualify.

Application #'s 2627505 & 2627501, R.A.B., Funeral Director & Embalmer, reinstatement – tabled for an appearance before the Board*.

Application # 2626832, M.C., Crematory – new facility, tabled – resubmit with a separate FDFCC.

Application # 2615752 Good Shepard Funeral Home Inc., Reinstatement approved by consent order, 2 years' probation, \$1,000 fine, and a private consent order.

Application # 2618618 Lawrenceville Crematory – new facility – Owner FDFCC – approved.

Application # 2618620 Byrd & Flanigan Crematory & Funeral Services LLC - new facility – Owner FDFCC – approved.

Application #'s 2629284 & 2629285 Richard Calvin Giffe, reinstate Funeral Director / Embalmer licenses – approved. No exam required.

Application # 2629291 Southview Mortuary Inc., change of location, approved.

Application #'s 2629776 & 2629777, Simon Lee Byrd, Funeral Director & Embalmer, reinstatement – approved.

*Joe Westbury recused.

Georgia Board of Funeral Service
Board Meeting July 19, 2016
Professional Licensing Boards Division of the Secretary of State
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Complaints:

- FUN150074 Tabled for further information – refer to Inspections.
- FUN160042 Close – no jurisdiction – refer to Cemetery Board.
- FUN160167 Tabled for further information – refer to Inspections.
- FUN160171 Close – No jurisdiction – refer complainant to FTC.
- FUN160172 Tabled for further information – refer to Inspections.
- FUN160176 Tabled for further information – refer to Inspections.
- FUN160090 Close – No jurisdiction – refer complainant to Vital Statistics.
- FUN160148 Tabled for further information – refer to Secretary of State to investigate pre-need funds.
- FUN160159 Close – No violations found.
- FUN170008 Tabled for an appearance.

Attorney General’s Report:

Tom Lord motioned, Joe Westbury seconded, and the Board voted to accept the Attorney General’s report as presented in Executive Session, Michael Fowler recused regarding FUN120170. Waiting for report from Investigations.

Must have written Final Decision for citations, to be executed at the hearing.

OPEN SESSION:

Continuing Education:

Joe Westbury motioned, Michael Fowler seconded, and the motioned was carried by the Board to accept the Continuing Education Committee recommendations to approve the following continuing education courses as presented:

Program Provider/Sponsor	Course Title (Event)	Points
National Funeral Directors Association - Brookfield, WI	NFDA Certified Preplanning Consultant Austin, TX 08/24/16	8
National Funeral Directors Association - Brookfield, WI	NFDA Certified Preplanning Consultant Wheeling, IL 09/23/16	8
National Funeral Directors Association - Brookfield, WI	How to Comply with the New DOL Overtime Compensation & Hour Regulations	1
National Funeral Directors Association - Brookfield, WI	Third Party Crematory Due Diligence	1
Regulatory Support Services	Cost of Compliance - Building a Workplace Safety Program	2
Regulatory Support Services	Cost of Compliance - The FTC Funeral Rule	1
British Institute of Embalmers, N.A. Div.	The British Are Coming, The British Are Coming	7.25
British Institute of Embalmers, N.A. Div.	Universal World of Embalming	1

Georgia Board of Funeral Service
Board Meeting July 19, 2016
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Program Provider/Sponsor	Course Title (Event)	Points
British Institute of Embalmers, N.A. Div.	Fifty Shades of Gray	1
Funeral Service Academy	Embalming: Autopsies and Organ-Tissue Donors	1
Matthews International	Understanding the Casket Distribution Process from A-Z	2
Selected Independent Funeral Homes	2016 Annual Meeting	8.75
The Independent Funeral Group	2016 Fall Festival	10

Michael Fowler motioned, Tom Lord seconded, and the Board voted unanimously to accept the following orders:

Cease & Desist Order:

Name	Complaint #	Docket #	Location
Community Chapel	FUN160163	2016-1282	Milledgeville

Orders to Accept Fine Monies:

Name	Complaint #	Docket #	City	Amount Accepted
Kennedy Funeral Homes	FUN160173	2016-1232	Cobbtown	\$200
Mosby-Litman Funeral Home	FUN160110	2016-1281	Midway	\$300
Charles E Huffs Int'l Funeral Home	FUN160165	2016-1304	Columbus	\$300
Neptune Management Corp	FUN160068	2016-1227	Atlanta	\$100
Total				\$900

90 Day Grace Period Request:

Nancy Kennedy motioned, Michael Fowler seconded, and the Board voted as follows regarding 90-day grace period request:

Name	License #	Location	Decision
Chapman Funeral Home	FEST001770	Swainsboro	Approved
Henderson & Sons Funeral Home – 2 nd req.	FEST001860	Rome	Approved

Other Business:

Proposed Rule changes 250-5-.09, 250-6-.05, and 250-6-.08 – ongoing process, Tom Lord to be advised of any changes.

Question regarding spreading of cremated remains. Refer to Georgia Code 31-21-4(a)(1) and 31-21-4(a)(2).

The next meeting of the Georgia Board of Funeral Service will be held Tuesday, August 9, 2016 at 10:00 a.m. at 237 Coliseum Drive, Macon, Georgia.

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There being no further business, Chair Hightower declared the meeting adjourned at 4:02 p.m.

Minutes recorded by: Sandy Barboza, Board Support Specialist

Minutes reviewed and edited by: La Trenda Tyler-Jones, Executive Director

Minutes approved on 8/19/16



Bryant Hightower, Chair



La Trenda Tyler-Jones, Executive Director

STATE OF GEORGIA

COUNTY OF BIBB

AFFIDAVIT SUPPORTING CLOSING OF PUBLIC MEETING

The Georgia Open Meetings Act, O.C.G.A 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specified exemptions relied upon. O.C.G. A. 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meetings in question.

Comes Bryant Hightower, the Chairman identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the Georgia State Board of Funeral Service
2. I am over the age of 18 and in other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and subject to penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On July 19, 2016 this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of members present voted to close the meeting or a portion hereof of the following indicated reason(s). I hereby certify that that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.
4. The legal authority for closure of this meeting was: O.C.G.A. 43-1-2(k).
5. The subjects discussed and the underlying facts supporting the closing of this meeting are as follows:

Applications and other personal information submitted by the applicants; information, Favorable or unfavorable, submitted by a reference source concerning an applicant; and Deliberations of the Board with respect to an application, an examination, a complaint, an Investigation, or a disciplinary proceeding.

FURTHER THE AFFIANT SAYETH NOT.



 PRESIDING OFFICER

Sworn to and subscribed before me this 19th
 Day of July, 2016
Bryant Hightower
 Notary Public
 My Commission Expires: _____

