

Georgia Board of Funeral Service
Board Meeting August 9, 2016
Professional Licensing Boards of the Secretary of State
237 Coliseum Drive, Macon, Georgia 31217

Members Present:

- Bryant Hightower, Chair
- Tom Lord, Vice-Chair
- William Bowen
- Joe Westbury
- Michael Fowler
- Nancy Kennedy

Others Present:

- La Trena Tyler-Jones, Executive Director
- Reagan Dean, Assistant Attorney General
- Michelle Foster, Compliance Assistant
- Carla Murray, Licensing Analyst
- Jansen Balisi, Staff Attorney

Members Not Present

- W T Edmondson

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 10:04 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 August 9, 2016 meeting. Joe Westbury motioned, Michael Fowler seconded, and the Board voted to approve the agenda with the following amendments: addition of the Attorney General’s Report and addition of a report from Tom Lord on the Georgia Funeral Directors Association (GFDA) Committee meeting.

Minutes:

The Board reviewed the minutes from the July 19, 2016 meeting. Joe Westbury motioned, Michael Fowler 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: 07-15-2016 thru 08-05-16 (Total – 20):

License #	Licensee
CREM000137	Lawrenceville Crematory
CREM000138	Magnolia Crematory
EMB005074	Colburn Devron Shelton
EMB005075	Kyle Douglas Henry
FD005476	Kyle Douglas Henry
FEST001958	Burden’s Funeral Home
FEST001959	Byrd & Flanigan Crematory & Funeral Service LLC
FEST001960	Southview Mortuary Inc
FSA006013	Kirk Albert Nims
FSA006014	Michelle Andrea Adams

License #	Licensee
FSA006015	George W Greene
FSA006016	Jonathan Issac Edwards
FSA006017	Anthony Bernard Egnaw
FSA006018	James William White
FSA006019	Kelcey Bernard Floyd
FSA006020	Makayla Elizabeth Smith
FSA006021	Michael Myron Fowler
FSA006022	William Rayfield Beeks
FSA006023	John Mark Ellis
FSA006024	Daughtry B Melton, IV

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Michael Fowler motioned, Joe Westbury seconded, and the Board voted unanimously to ratify the licenses by application and reinstatement that were issued in accordance with Board Rules and Policies.

Open Records Request – Discussion:

Jansen Balisi, Staff Attorney, discussed adoption of a policy governing release of records. It was recommended that the Board continue to review each request as they come in as the volume is minimal and requests are generally for investigative information which must be reviewed by the Board.

EXECUTIVE SESSION:

Joe Westbury motioned, Nancy Kennedy 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 and 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.

OPEN SESSION:

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

Appointments:

Appearance # 2627501 & # 2627505 Roy Bland – Funeral Director and Embalmer, approved with a consent order for 2 years' probation and a passing score on the rules exam. Joe Westbury recused from the interview and the vote.

Appearance # 2631487 Ivie Funeral Home, change FDFCC to John W. Abernathy, approved.

Appearance # 2631911 & # 2632813, Henderson & Sons Funeral Home, North Chapel & Crematory, Change FDFCC to James M. Hutcheson, approved.

Appearance # 2632255 W.M., new Funeral Establishment, tabled for investigative report.

Complaints:

FUN150074 Tabled for statement and fine payment.

FUN160040 Tabled for status of civil litigation.

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FUN160074 Tabled for appearance – failure to comply with consent order and pay fine.

FUN160103 Closed – fine paid.

FUN160126 Closed – fine paid.

FUN160177 Tabled for further information – refer to Inspections.

FUN160178 Tabled – send letter of concern, request statement regarding filing of death certificates.

FUN160179 Closed – No violations found.

FUN170001 Tabled for further information – refer to Inspections.

FUN170002 Tabled for further information – refer to Inspections.

FUN170003 Closed – No violations found.

FUN170004 Closed – No violations found.

FUN170005 Tabled for further information – refer to Inspections.

FUN170006 Closed – Duplicate file.

FUN170007 Tabled for further information – refer to Inspections.

FUN170009 Tabled for further information – refer to Inspections.

Applications:

Application # 2630279 C.A.M. Funeral Service Apprentice – denied for prior disciplinary history.

Application # 2629069 & # 2630509 L.V.E. – Funeral Director and Embalmer – tabled.

Application # 2631709 & # 2631710, H. William Lee - Funeral Director & Embalmer, reinstatement approved.

Application # 2631905 Gene Davis White Columns Chapel & Cremation – Funeral Establishment, change of name approved.

Application # 2632817 Kennedy Funeral Home LLC – Funeral Establishment, change of ownership and FDFCC approved.

Application # 2632658 Miles Funeral Home – Funeral Establishment, change of location approved.

Application # 2631913 South Canton Funeral Home and Chapel Inc. – Funeral Establishment, change of FDFCC approved.

Attorney General's Report:

Tom Lord motioned, Joe Westbury seconded, and the Board voted to accept the Attorney General's recommendations as presented in Executive Session.

- Presented a revised Final Decision form - accepted.
- Presented Final Decisions to be docketed - accepted.

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- Provided update on FUN120170. Waiting for report from Investigations; La Trenda Tyler-Jones to follow up. Michael Fowler recused.
- Discussed the Attorney General's request to outline the parameters of Cease and Desist orders. If Board issues a C&D directive it must state the reason for the directive. Joe Westbury motioned, Michael Fowler seconded, and the Board voted to table for further information.

Continuing Education:

Joe Westbury motioned, William Bowen 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
The Dodge Company	2016 Dodge Advanced Embalming Seminar 09/14/16	5
The Dodge Company	2017 Dodge Technical Seminar - Hawaii	12
The Dodge Company	2016 Dodge Wreaths Across America Project	8.75
ICCFA	2016 Fall Management Conference	7

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

Consent Order:

Name	Complaint #	Docket #	Location
Smith Steele Meadows Funeral Home Inc	FUN160168	2016-1530	Woodbury

Orders to Accept Fine Monies:

Name	Complaint #	Docket #	City	Amount Accepted
East Georgia Crematory	FUN160136	2016-1305	Swainsboro	\$200
Albritten's Funeral Service	FUN160137	2016-1303	Dawson	\$100
Garrer Funeral Home	FUN160138	2016-1302	Louisville	\$400
Hall's Funeral Home	FUN160174	2016-1422	Fitzgerald	\$200
Harrington Funeral Home	FUN170014	2016-1532	Lakeland	\$100
Total				\$1,000

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90 Day Grace Period Request:

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

Name	License #	Location	Decision
Durden-Hudson Funeral Director Inc.	FEST001675	Swainsboro	Approved
Southern Canton Funeral Home	FEST001582	Canton	Approved
C.A. Reid Sr. Memorial Chapel – 2 nd request	FEST001873	Waynesboro	Approved
Lamb's International Funeral Home	FEST001932	Columbus	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. Possible legislative changes to be introduced to separate Funeral Director and Embalmers license. La Trena Tyler-Jones will discuss with Reagan Dean.

Tom Lord – provided Georgia Funeral Directors Association (GFDA) Committee Meeting update, suggested discussion of the following at the Funeral Board's next meeting:

- Proposed changes to Funeral Director licensing requirements.
- Allowing Funeral Director in Full and Continuous Charge (FDFCC) to manage multiple locations.

The next meeting of the Georgia Board of Funeral Service will be held Tuesday, September 13, 2016 at 10:00 a.m. at 237 Coliseum Drive, Macon, Georgia.

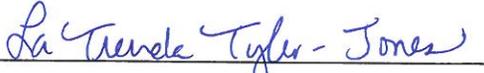
There being no further business, Chair Hightower declared the meeting adjourned at 4:02 p.m.

Minutes recorded by: Sandy Barboza, Board Support Specialist

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

Minutes approved on 9/13/16


Bryant Hightower, Chair


La Trena 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 **August 9, 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 ⁹⁴⁴
 Day of August, 2016
Gwendolyn M. Patmon
 Notary Public
 My Commission Expires: 11/19/2016

