

Georgia State Board of Cemeterians
Board Meeting Minutes – July 16, 2019 - 10:00 A.M. Teleconference
Professional Licensing Boards Division of the Secretary of State
237 Coliseum Drive, Macon, Georgia 31217

Members Present:

- Clift Dempsey, Chair
- Richard Parker, Vice Chair
- Emory Lamar
- Tim Smith
- Mike Lawrence
- William “Micky” Couey

Others Present:

- Brad Coman, Executive Director
- Carla Murray, Licensing Supervisor
- Melanie Foster, Licensing Analyst
- Alexis Hardy, Board Support Specialist
- Jeff Stump, Assistant Attorney General
- Janene Browder, Assistant Attorney General
- Dan Walsh, Senior Assistant Attorney General

Members Absent:

- Dan Greene

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

Clift Dempsey, Chair, noted a quorum was present, called the meeting to order at 10:08 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.

OPEN SESSION:

Agenda:

Micky Couey moved, Richard Parker seconded, and the Board voted to approve the July 16, 2019 agenda.

Minutes:

Richard Parker moved, Emory Lamar seconded, and the Board voted to approve the June 18, 2019 Open Session and Executive Session minutes.

Licenses Issued Report:

Mike Lawrence moved, Micky Couey seconded, and the Board voted to ratify the licenses issued 6-11-2019 through 7-10-2019 (Total – 10) in accordance with Board rules and policies.

License #	Licensee
PA004059	Stephanie Tammy Smith Slantis
PA004060	David Arthur Hunt
PA004061	Roy Allen Lowe
PA004062	Bruce Anthony Johnson
PA004063	Allison C Warren

License #	Licensee
PA004064	Susan Elizabeth Carmichael
PA004065	Candyce Colleen Bailey
PA004066	Marvin T Blanks
PA004067	Marvin T Blanks
PA004068	LaDon Dominick Hall

EXECUTIVE SESSION:

Tim Smith moved, Emory Lamar seconded, and the Georgia State Board of Cemeterians voted to enter into Executive Session on Tuesday, July 16, 2019, at 10:12 a.m. in accordance with O.C.G.A. §§ 43-1-19(h), and 43-8B, for the purpose of reviewing an application, discussing complaint cases, and to hear the Attorney General’s report.

At the conclusion of Executive Session, Clift Dempsey, Chair, declared the meeting to be “open” pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq., at 11:53 a.m. No votes were taken during Executive Session.

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OPEN SESSION:

Richard Parker moved, Mike Lawrence seconded, and the motion was carried unanimously by the Board to ratify the following recommendations made during Executive Session:

Applications

2815571 – Timothy Spencer – Approved.

Complaints

ENCE-0300 – Close – Pending receipt of closure letter from complainant.

ENCE-0228 – Table – Refer to Attorney Generals’ office for Public Consent Order to include \$500 fine and quarterly inspections for 12 months which include a statement from owner on progress being made in care and maintenance violations.

ENCE-0233, 0185, 0251, 0252 – Table – Schedule interview with owner at the October 15, 2019 Board meeting.

ENCE-0296 – Table – Pending Investigation.

ENCE-0301 – Table – Refer to Inspections to obtain statement from owner and price list as of April 2019.

ENCE-0295 – Close – Matter resolved.

ENCE-0298 – Table – Refer to Inspections to obtain statement from owner and copy of contract.

ENCE-0199 – Table – Refer to Inspections for a 90 day follow up from the date of the last inspection.

ENCE-0274 – Close – Civil matter.

ENCE-0293 – Close – Pending receipt of letter that the facility does not trust or escrow funds.

Attorney Generals’ Report

The Board reviewed Consent Orders from facilities that have failed to comply with the listed requirements. Facilities will be required to submit appropriate documentation and pay fine within 60 days. If not submitted within 60 days, an interview will be scheduled for the October 15, 2019 meeting.

Other Business:

Docketed Orders

Micky Couey moved, Richard Parker seconded, and the Board voted to ratify the Docketed Orders as presented.

Type	Licensee	License #	Docket #	City
Public Consent Order	Pulaski-Bleckley Memorial Gardens	PCPN000087	2019-C7	Cochran
Public Consent Order	Cherry Blossom Memorial	PCPN000108	2019-C8	Macon

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Investors Heritage Inquiry

The Board reviewed a revised version of an insurance statement of funeral goods and services. The Board unanimously agreed this inquiry was out of their jurisdiction, and to refer the request to the Secretary of State's Office. Richard Parker moved, Mike Lawrence seconded, and the Board's decision carried unanimously.

Online Merchandise Question

The Board reviewed a question regarding online only sales of burial merchandise. The Board cannot provide business or legal advice. The Board recommends seeking legal counsel, as well as reading the Board's rules and current practice act in their entirety. Richard Parker moved, Emory Lamar seconded, and the Board's decision carried unanimously.

Preneed Sales Agent Renewals

Richard Parker moved, Emory Lamar seconded, and the Board unanimously voted to approve a late renewal fee of \$150 and a late renewal period of 3 months for licensed Preneed Sales Agents.

Executive Director's 2019 Fiscal Year Report

The Board reviewed the Executive Director's report, which provided the Board with statistical data relevant to the processing of applications and complaints/compliance matters for the 2019 fiscal year.

There being no further business, Emory Lamar moved, Richard Parker seconded, and the Board voted to adjourn at 12:30 p.m.

The Georgia State Board Cemeterians will hold their next meeting on August 20, 2019, at 10:00 a.m.

Minutes recorded by: Alexis Hardy, Board Support Specialist

Minutes reviewed and edited by: Brad Coman, Executive Director

Minutes were approved on: August 20, 2019



Clift Dempsey, Chair



Brad Coman, 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 Clift Dempsey, 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 Cemeterians.
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 16, 2019 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 22
Day of AUGUST, 2019.


Notary Public

My Commission Expires: July 4, 2024

