

MINUTES
South Carolina Perpetual Care Cemetery
Board Meeting

10:00 a.m., Wednesday, September 24, 2012
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 108
Columbia, South Carolina

Monday, September 24, 2012

1. Meeting Called to Order

J. W. Russ, Chair, of Conway, called the meeting to order at 10:12 a.m. Other members participating during the meeting included: Russel Floyd, Vice Chair, of Spartanburg; John Bartus, of Mauldin; Roger Finch, of Honea Path; Jacquelyn Petty, of Union; and, Rick Riggins, of Lancaster.

Staff members participating in the meeting included: Doris Cubitt, Administrator; Wendi Elrod, Program Assistant; Sara McCartha, Advice Counsel, Division of Legal Services; Buddy Poole, Inspector, Office of Investigations and Enforcement; Jennifer Cooper, Division of Legal Services; and, Charlie Ido, Assistant Deputy Director, Office of Business Services.

Members of the public attending the meeting included: Bob Coble, of Nexsen Pruet; Tommy Preston, of Nexsen Pruet; Tamala Randolph, of StoneMor; Eleanor Glover; Gerald Wright, of Wright's Funeral Home of Denmark; Willard (Bill) Duncan, of Carroll Mortuary; and, Raymond DeRienzo, Sr., of Cooner Funeral Home.

A video of this meeting can be viewed at www.lla.state.sc.us/POL/Cemetery. On the Board's home page, click 'Board Information' and follow the link to the video.

a. Public Notice

Mr. Russ announced that public notice of this meeting was properly posted at the S. C. Perpetual Care Cemetery Board office, Synergy Business Park, Kingstree Building, provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. He noted a quorum was present.

b. Pledge of Allegiance

All present recited the Pledge of Allegiance.

2. Introduction of Board Members and Persons Attending the Meeting

The Board members, staff and all other persons attending the meeting introduced themselves.

3. Approval of Excused Absences

There are no absences at this meeting.

4. Items

1. Bamberg/Barnwell County Memory Gardens

a. Ms. Glover's letter

Ms. Glover spoke to the Board regarding the maker for her father that has not been placed in the cemetery. Mr. Cubitt stated that the cemetery can place the marker if it was purchased prior to the revocation of the cemetery's license.

Mr. Bartus stated he empathizes with her situation since he had a similar situation with the passing of his wife with a different cemetery a number of years ago when there wasn't the oversight of the Perpetual Care Cemetery Board.

Ms. Glover stated that the plot was purchased years ago but the marker was just purchased after her father's death which was in May 2012.

b. Mr. Duncan's letter

Mr. Duncan stated that Ms. Sharon Cook, Board investigator, came by his funeral home because she saw tents belonging to Mr. Duncan's funeral home, Carroll Mortuary, in the Bamberg County Memory Gardens.

Mr. Duncan stated that this cemetery doesn't have an office or rest rooms located on the cemetery property. Mr. Duncan then stated the last time he paid Mr. Kent for services he was instructed to write two checks, one for the grave space made out to the cemetery and the other was for the opening and closing made out to Mr. Kent.

Mr. Wright then spoke stating that he believes that when the board revokes a license then the board should notify the community. And what they need to do regarding the cemetery. He also inquired on how to advise families when they want to be buried in the cemetery. For example the father is buried in the cemetery and the plots on both sides are available for purchase. Now the mother is ill and may pass away but they have not purchased the plot prior to the cemetery's license being revoked. So what can they do?

Mr. Derienzo stated he had a funeral in the cemetery but the cemetery stated they can't place the marker since the license was revoked. Also he buried a husband but the wife can't purchase the space next to him since it wasn't pre-purchased.

Executive Session

MOTION

Mr. Bartus made a motion the Board enter into executive session for legal advice. Mr. Floyd seconded the motion, which carried unanimously.

Return to Public Session

MOTION

Ms. Petty made a motion the Board return to public session. Mr. Floyd seconded the motion, which carried unanimously. Mr. Russ noted for the record that no official action was taken during executive session.

MOTION

Mr. Floyd made a motion for advice counsel to make a written response regarding the revocation of Bamberg and Barnwell County Memory Gardens license to be reviewed at the November 7, 2012 board meeting. Mr. Riggins seconded the motion, which carried unanimously.

2. Keystone/SCI trust agreement

Keystone/SCI has submitted changes to their trust agreement for approval.

MOTION

Mr. Floyd made a motion to accept the trust agreement with the proposed changes. Mr. Riggins seconded the motion, which carried unanimously.

3. Discussion of possible Statute and Regulation changes

Review of possible statute and regulation changes.

Executive Session

MOTION

Mr. Floyd made a motion the Board enter into executive session for legal advice. Mr. Bartus seconded the motion, which carried unanimously.

Return to Public Session

MOTION

Mr. Riggins made a motion the Board return to public session. Mr. Finch seconded the motion, which carried unanimously. Mr. Russ noted for the record that no official action was taken during executive session.

MOTION

Mr. Floyd made a motion that the statute and regulations change proposed in 2011 be republished except Bill 4168. Mr. Riggins seconded the motion, which carried unanimously.

5. Public Comments (No Vote May Be Taken)

No public comments at this time.

6. Adjournment

MOTION

Mr. Floyd made a motion the Board adjourns. Ms. Petty seconded the motion, which carried unanimously.

The September 24, 2012, meeting of the SC Perpetual Care Cemetery Board adjourned at 12:41 p.m.

The next meeting of the SC Perpetual Care Cemetery Board is scheduled for November 7, 2012.