



Alabama Board of Funeral Service

Meeting Minutes

January 26, 2011

Call to order

Warren Higgins, Executive Secretary, called to order the second regular meeting of fiscal year 2011 of the Alabama Board of Funeral Service at 11:08 a.m. on January 26, 2011 in Room P-103 of the Gordon Persons Building, 50 North Ripley Street, Montgomery, Alabama.

Attendance

The following members were present: Thomas Maye, Noah Turner, Samuel Seroyer, Michael Morrison, Rita Woods, and Terry Wilson. Staff present was Warren Higgins, Executive Secretary, and Charles M. Perine, Associate Executive Secretary, recording.

The following member(s) were absent: Jason Maise.

Election of Officers

Mr. Higgins declared all previous offices of the Board vacant due to the new term and opened the floor for nominations for the office of chairman. Mr. Seroyer nominated Mrs. Rita Woods, seconded by Mr. Turner. With no other nominations Mr. Seroyer moved to close the nominations for position of chairman, seconded by Mr. Morrison. A vote was taking:

Yea vote: Mr. Maye, Mr. Turner, Mr. Seroyer, Mr. Morrison, Mr. Wilson and Mrs. Woods

Nay vote:

Abstain:

The motion passed unanimously.

Mr. Higgins then yielded the chair to Mrs. Woods, who then opened the nominations for vice-chairman. Mr. Wilson nominated Mr. Michael Morrison, seconded by Mr. Maye. With no other nominations, a vote was taking:

Yea vote: Mr. Maye, Mr. Turner, Mr. Seroyer, Mr. Morrison, Mr. Wilson and Mrs. Woods

Nay vote:

Abstain:

The motion passed unanimously.

Mrs. Woods then open the nominations for secretary. Mr. Morrison nominated Mr. Noah Turner, seconded by Mr. Maye. With no other nominations Mr. Seroyer moved to close the nominations for position of secretary, seconded by Mr. Wilson. A vote was taking:

Yea vote: Mr. Maye, Mr. Turner, Mr. Seroyer, Mr. Morrison, Mr. Wilson and Mrs. Woods

Nay vote:

Abstain:

The motion passed unanimously.

Mrs. Woods then open the nominations for treasurer. Mr. Morrison nominated Mr. Terry Wilson, seconded by Mr. Maye. With no other nominations, a vote was taking:



Alabama Board of Funeral Service

Meeting Minutes

January 26, 2011

Yea vote: Mr. Maye, Mr. Turner, Mr. Seroyer, Mr. Morrison, Mr. Wilson and Mrs. Woods
Nay vote:
Abstain:
The motion passed unanimously.

Approval of minutes from last meeting

Mr. Wilson moved to approve the minutes of the October 26, 2010 meeting, seconded by Mr. Seroyer. The motion passed unanimously.

Old Business

NONE.

New Business

Approval of Licenses:

1) Applicants who passed law exam given earlier:

Mr. Wilson moved to approve funeral director and/or embalmer license(s) for all applicants who passed the state law exam given earlier that day upon the passing certification from the Conference under the new testing format, or those who had otherwise qualified for licensing, seconded by Mr. Seroyer.

The motion passed unanimously.

2) Apprentice Funeral Director with Previous Time Credited:

Mr. Higgins asked the board to consider for approval the re-registration of apprentice funeral director applications with previous time served as an apprentice credited to current registration for Pamela L. M^cNair, Antonia Perryman, Steven R. Jones, William A. Dean, Roger T. Malone and Andrew Gill. Mr. Wilson moved to approve the re-registration of apprentice funeral director's applications with previous time served credited to the current registration, seconded by Mr. Seroyer. The motion passed unanimously.

3) Apprentice Embalmer with Previous Time Credited:

Mr. Higgins asked the Board to consider for approval the re-registration of apprentice embalmer applications with previous time credited to current registration for Demeka Buck. Mr. Seroyer moved to approve the re-registration of apprentice embalmer applications **with** previous time credited to current registration for Demeka Buck, seconded by Mr. Morrison. The motion passed unanimously.



Alabama Board of Funeral Service

Meeting Minutes

January 26, 2011

4) Permanent License Re-registration:

Mr. Higgins asked the Board to consider the following for re-registration of permanent license: Kevon Baxter (funeral director) pending receipt of remaining penalty fee. Mr. Wilson moved to approve the re-registration of permanent funeral director's license for Kevon Baxter, seconded by Mr. Seroyer. The motion passed unanimously.

Mr. Higgins asked the Board to consider the following for re-registration of permanent license: Vanessa P. Carter (funeral director and embalmer) and Gina W. Goodsell (funeral director and embalmer). Mr. Morrison moved to approve the re-registration of permanent funeral director and embalmer's licenses for Vanessa P. Carter and Gina W. Goodsell, seconded by Mr. Wilson. The motion passed unanimously.

5) Establishment Applications:

Mr. Higgins asked the Board to consider the following establishments for licensure: Mosley's Funeral Home of Thomasville, Ellison-Mims Funeral Home of Clanton, Bowen Funeral Home of Winfield, Trawick Ashford Funeral Home of Ashford. Mr. Seroyer moved to approve the license request of the fore stated funeral homes, seconded by Mr. Turner. The motion passed unanimously.

Settlement Agreement:

ABFS vs. Individual #11-001

Mr. Perine reported that a licensee violated Alabama Funeral Service Law and Regulation, specifically §34-13-56 (2a). According to Mr. Perine, it was discovered that the licensee, after being contacted by a funeral home outside the state of Alabama, misrepresented a removal service as an embalming service. The licensee was contracted, by the out-of-state funeral home, to pick-up, embalm and ship human remains from within the state of Alabama to the out-of-state funeral home. The licensee did so without being properly license as a funeral establishment. The licensee submitted a written statement admitting to the charges. Mr. Seroyer moved to fine said licensee \$250.00 and order 30 day suspension of the licensee's funeral director and embalmer's license stayed for 12 months, seconded by Mr. Turner. The motion passed unanimously.

Applicants Needing Board Approval

Presenter: Mr. Perine

- 1) Applicant A** - Applying to reactivate permanent funeral director and embalmer's license after committing acts that are grounds for revocation, suspension or refusal to issue or renew licenses. Mr. Seroyer moved to approved the reactivation of Applicant A's permanent funeral director and embalmer's license pending lapsed penalty fees and conditioned that the applicant be required to provide the Board with a status report from the rehabilitation



Alabama Board of Funeral Service

Meeting Minutes

January 26, 2011

program director before each Board meeting and during the duration of the treatment program. Motion died for lack of second.

Mr. Morrison requested the matter be tabled until the April meeting and request the applicant and the applicant's parole officer be present. Mr. Wilson moved that the Applicant A's application be tabled until the April meeting requesting that the applicant and the applicant's parole officer be present to speak to the Board at such time, seconded by Mr. Turner. The motion passed unanimously.

- 1) **Forms** - Mr. Higgins recommended to the Board that the Apprentice License Applications be amended to ask the following question: "Have you ever been convicted of a felony or misdemeanor, other than a traffic violation?"

So that the issue of a felony or misdemeanor can be addressed before an applicant reaches the permanent license stage. Mr. Morrison moved to amend the Apprentice License Application for funeral director and apprentice application for embalmer to reflect the conviction question, seconded by Mr. Wilson. The motion passed unanimously.

Mr. Perine recommended to the Board that the Annual License Renewal Application be amended to ask the following question: "Have you ever been convicted of a felony or misdemeanor, other than a traffic violation within the last twelve months?"

Mr. Turner moved to amend the Annual License Renewal Application to reflect the conviction question, seconded by Mr. Wilson. The motion passed unanimously.

Mr. Perine recommended to the Board that the Permanent Funeral Director License Application be amended to ask the following question: "I have a certificate of High School graduation or its equivalent GED Certificate: YES NO Date of Diploma or Certificate: _____". The law allows for an individual 16 years old to obtain an Apprentice Funeral Director License while that individual is currently in high school. The question needs to be asked again to make sure that the applicant has obtained a high school diploma or GED certificate.

Mr. Turner moved to amend the Permanent Funeral Director License Application to ask the question, "I have a certificate of High School graduation or its equivalent GED Certificate: YES NO Date of Diploma or Certificate: _____", seconded by Mr. Maye. The motion passed unanimously

- 2) **Applicant B** – Applying for an Alabama funeral director's license by reciprocity with prior disciplinary action from the Board in the current state of licensure. Mr. Higgins recommended that the Board follow the lead of the current state of licensure, because the current state did re-instate the individual license and the license is currently in good standing. **Mr. Wilson** moved to approve Applicant B's application for funeral director's license by reciprocity after the applicant has successfully passed the state law exam, seconded by Mr. Seroyer.



Alabama Board of Funeral Service

Meeting Minutes

January 26, 2011

Yea vote: Mr. Maye, Mr. Turner, Mr. Seroyer, Mr. Wilson

Nay vote: Mr. Morrison

Abstain:

The motion passed with three yea votes, one nay vote, and the Chair, Mrs. Woods, not voting.

- 3) **Applicant C** – Applying for Alabama Funeral Director and Embalmer’s licenses by reciprocity after committing acts that are grounds for revocation, suspension or refusal to issue or renew licenses. Board decided to go into executive session to discuss this applicant, because applicant was present and wished to address the Board. Action pending executive session.
- 4) **Applicant D** – Applying for Alabama Funeral Director and Embalmer’s licenses after committing acts that are grounds for revocation, suspension or refusal to issue or renew licenses. Mr. Turner moved to approve Applicant D’s application for permanent Alabama Funeral Director and Embalmer’s licenses, seconded by Mr. Maye. The motion passed unanimously.

Staff Salary Adjustment

Mr. Higgins recommended the salary of the Boards administrative assistance, Sherrye Dawson, be restored to the current rate before proration along with what would be considered a merit increase. Mrs. Dawson salary would increase from twenty thousand six hundred dollars (\$20,600) per year to twenty three thousand dollars (23,000) per year.

Mr. Turner moved to increase Mrs. Dawson salary from twenty thousand six hundred dollars (\$20,600) per year to twenty three thousand dollars (23,000) per year, seconded by Mr. Seroyer. The motion passed unanimously.

Executive Session

Mr. Seroyer moved that the Board go into executive session to discuss the good name character of an applicant, seconded by Mr. Morrison.

Yea vote: Mr. Maye, Mr. Turner, Mr. Seroyer, Mr. Morrison, Mr. Wilson and Mrs. Woods

Nay vote:

Abstain:

The motion passed unanimously.

At 12:17 p.m., Mrs. Woods advised the audience that the Board would now go into executive session for 15 minutes to discuss the good name and character of an applicant. She also stated that the Board would reconvene at 12:32 p.m. for the regular business meeting.



Alabama Board of Funeral Service

Meeting Minutes

January 26, 2011

After the executive sessions and after everyone was back in the room, Mrs. Woods called the regular business meeting of the Alabama Board of Funeral Service back to order at 12:30 p.m. Mr. Turner moved to approve Applicant C's application for a Alabama Funeral Director and Embalmer's licenses by reciprocity after committing acts that are grounds for revocation, suspension or refusal to issue or renew licenses, seconded by Mr. Seroyer. The motion passed unanimously.

New Board Members Training

Mr. Higgins Advised the Board that he had obtained a copy of the New Board Member Training CD from the examiners. The training was taking place at the same time as the Board meeting, but he had signed the roster and Mr. Perine would either make a copy of the CD or email the contents to everyone for review. Mr. Higgins asked everyone if they would review the information and send a letter to the Examiners office to notify them that they had reviewed the information.

April Meeting

Mr. Perine recommended that the next state law exam be administer on Wednesday, April 27, 2011 at 10:00 a.m. followed by the quarterly Board meeting at 11:00 a.m. that same. Mr. Wilson moved that the administering of the next state law exam and quarterly Board meeting be on Wednesday, April 27, 2011 with the exam beginning at 10:00 a.m. and meeting at 11:00 a.m., seconded by Mr. Seroyer. The motion passed unanimously. Mr. Perine noted that the room for the exam and meeting had to be reserved, so if it is unavailable on April 27, 2011 that everyone would be notified and the minutes would have to be amended.

Adjournment

Being no other business, Mrs. Woods asked for a motion to adjourn. Mr. Seroyer moved to adjourn the meeting at 12:34 p.m., seconded by Mr. Wilson. The motion passed unanimously.

Minutes submitted by: Charles M. Perine

X

Rita E. Woods
Chairman

X

Warren Higgins
Executive Secretary