



ALABAMA BOARD OF FUNERAL SERVICE

Meeting Minutes

April 5, 2021

Prior Notice

Prior notice of the April 5, 2021 quarterly board meeting was posted on the Secretary of State website in January 2021. Due to COVID-19 restrictions, the public was not allowed to attend the meeting in person, but participation was made available via Zoom. The April 5, 2021 meeting notice was revised on the Secretary of State website, March 9, 2021 to include the Zoom meeting information. This information was distributed to licensees via the quarterly newsletter on March 9, 2021.

Mr. Perine welcomed all in attendance, including those participating via Zoom to the Alabama Board of Funeral Service third quarterly meeting of fiscal year 2021, at 9:00 a.m. on April 5, 2021 in Room 304 of the State House, 11 South Union Street, Montgomery, Alabama.

Attendance

Mr. Craddock, Chair, asked Mrs. Grogan for a roll call to establish a quorum. The following members were present: Mark N. Craddock, Lorenzo Wright, Bart Kirtland, John C. Rudder, Calvin Meadows, Annie Bushelon-Holt, and Ed Hines. Staff present; Charles Perine, Executive Director, and E. Denise Grogan, Associate Executive Director, recording and the Board's legal counsel, Brenton Scott.

The following members were absent: Lance Brooks and Bobby Burt.

Call to order

With a quorum established, Mr. Craddock called to order the third quarterly business meeting of fiscal year 2021. Mr. Craddock welcomed the Zoom participants and excused the absences of Mr. Brooks and Mr. Burt.

Zoom participants = 8

Old Business

Legislation

Preneed & Cemetery

Mr. Craddock informed the Board that HB-476 and SB-306, legislation to move Preneed from the Department of Insurance to the Board of Funeral Service and regulation of cemeteries was dead. Mr. Craddock stated the Board worked with a committee that was made up of individuals selected by the Alabama Funeral Directors Association (AFDA), Alabama Funeral Director & Morticians Association (AFD&MA), Cemetery Association, Alabama Board of Funeral Service (ABFS). Bill sponsor Representative Koven L. Brown assisted the committee in developing a bill that was agreed on by the profession. Mr. Craddock stated the committee worked for over a year and a half and delivered the language to Legislative Reference Services which was returned in draft form. This draft was sent to the members of the legislative committee, who were to provide the bill to their respective memberships for approval. Mr. Craddock

stated the Board did not proceed until it received blessings from AFDA, AFD&MA, and the Cemetery association. With favorable responses from the associations, and the two largest corporations in the state; SCl and Gamble holdings, the bill was prepared by Legislative Reference Services to be dropped. Mr. Craddock stated Kendal Glover, President of AFDA called for a public hearing and because of that, Representative Koven L. Brown pulled the bill. Mr. Perine made the comment that funeral directors said they did not get the bill, and when they did there was not enough time to read it. Mr. Perine stated there were a lot of lies going round about the bill which showed that licensees did not know the current law. The bill would have done exactly what was stated to the Department of Insurance, which was to pick up the current legislation from DOI, change the regulatory authority and move it to the Board. Mr. Perine stated DOI requested that fitness requirements be placed in the bill. Mr. Perine stated the Governors office and the Insurance Commissioner were in full support of the presented bill. Mr. Perine stated the bill was not dropped or introduced until the Board had the blessings from all the associations, including cemeteries. Mr. Perine stated the one thing that was changed from the January 7th vote was the funding mechanism, because the proposed fee was to be charged on a preneed contract, but when the legislators wanted to add cemetery regulation, each interment would also be charged the fee to fund the division. It was pointed out that could be unfair to consumers choosing burial over cremation, because those choosing burial would be charged twice if they arranged a preneed. Mr. Perine stated to ensure fairness to all consumers the fee was changed to be charged once on all dispositions. Mr. Perine stated it was originally agreed that the preneed law would not be changed in the bill. Mr. Kirtland stated the regulation of cemeteries was brought up by the Sunset Committee. Mr. Perine stated a unified front is needed when a bill goes before the State Legislature.

Embalming Room Rule

Mr. Perine reminded the Board that the motion to amend the requirement for a Branch location to be within a 25-mile radius of the centralized embalming facility, was tabled during the January Board meeting. After discussion, Mr. Wright made a motion, seconded by Mr. Kirtland to remove the motion that was tabled during the January meeting and rescind the original motion concerning the mileage between a branch location and the centralized embalming location. The motion passed unanimously.

Board Office

Mr. Perine presented the Board with a timeline concerning the proposed purchase of property for the Board's office. Mr. Perine stated several properties were considered and Mr. Craddock and Mr. Meadows had reviewed those properties. Mr. Perine stated a purchase agreement had been signed for one of the properties considered, and the due diligence period had to be completed prior to the State allowing the purchase to move forward. Mr. Perine stated the due diligence period will end June 17, 2021, and closing was proposed to be 30 days after that. Mr. Perine stated the property currently had a paying tenant in a section of the building with an option to continue their lease until 2025. Mr. Perine stated the contract price of the property was \$440,00.00, which consisted of 6,700 sq. ft., phone system and furniture that was to be determined by the seller. Mr. Meadows made a motion, seconded by Mr. Wright to proceed with the purchase of the proposed property if everything checked out during the due diligence period. The motion passed unanimously. Mr. Perine stated Board members were invited to tour the property following the Board meeting.

Approval of Minutes

Mr. Rudder moved to approve the minutes of the January 7, 2021 Board meeting, seconded by Mr. Kirtland. Being no discussion, the motion passed unanimously.

New Business

Approval of Licenses

Applicants having met all qualifications for licensure:

Having passed the state law exam, and having met the passing criteria of the International Conference under the new testing format, Mr. Perine requested to dispense with the reading of each applicant's name and that the individuals listed be considered for approval based on having met the qualifications for licensure in the State of Alabama in accordance with Title 34 Chapter 13 of the *Code of Alabama, 1975* and Administrative Code 395, and be approved for a funeral director, and/or embalmer, and/or cremationist license. Applicants for licensure: Bobby Potter, Jonathan Anderson, Alvie East, Christopher Ross, Stephanie Carter, Jeffery Layton, Rachel Cotton, ReShonda Jackson, Kimberly Wiggins, Albert M. May III, Anthony Peckich, Tracy Jones, Micah McCulloch. The motion was made by Mr. Wright and seconded by Ms. Bushelon-Holt. Being no discussion, the motion passed unanimously.

Permanent Funeral Director License Reinstatement:

Having met the current requirements of the law for original issue, paid all back fees and penalties, Mr. Perine asked the Board to consider W. Troy Massey and Charles Molette for reinstatement of permanent license as funeral director. The motion was made by Mr. Meadows and seconded by Mr. Wright. Being no discussion, the motion passed unanimously.

Permanent Funeral Director and Embalmer License Reinstatement:

Having met the current requirements of the law for original issue, paid all back fees and penalties, Mr. Perine asked the Board to consider Gregory Wright, Jr., Jamie Whitworth, and Kelly Owens for reinstatement of permanent license as funeral director and embalmer. The motion was made by Mr. Meadows and seconded by Ms. Bushelon-Holt. Being no discussion, the motion passed unanimously.

Establishment Applications:

Having met requirements, Mr. Perine asked the Board to consider the following establishments for licensure: Perry Funeral Home (Centre)(Buy Out), Perry Funeral Home (Centre)(Buy Out), Limestone Chapel (Athens)(Buy Out), Ardmore Funeral Chapel (Ardmore)(Buy Out), Alabama Cremation and Funeral Services (Steele), and Metropolitan Funeral Directors (Mobile). Mr. Wright moved to approve the establishment applications, seconded by Mr. Meadows. The motion passed unanimously.

Executive Secretary Financial Report

Mr. Perine reported the following for the 2nd quarter of fiscal year 2021 as of April 1, 2021.

Total Budget: \$1,088,469.00

Revenue: \$46,457.22

Expenses: \$120,285.32

Deferred Revenue (January 2021-March 2021): \$0.00

Total Deferred Revenue: \$370,713.50

Total Cash on Hand: \$1,909,145.55

Active Apprentice Funeral Directors: 223 Active Apprentice Embalmers: 133

Active Licensed Funeral Directors: 1468 Active Licensed Embalmers: 813

Active Licensed Cremationists: 234 Active Licensed Practical Embalmers: 48

Active Special Work Permit Funeral Director: 2 Active Special Work Permit Embalmer: 2

Active Licensed Mortuary Service: 1 Active Licensed Establishments: 474

Active Continuing Education Providers: 29

Total Active License: 3427

Mr. Meadows made a motion, seconded by Mr. Wright to accept the Executive Secretary Financial Report. Being no discussion, the motion passed unanimously.

Continuing Education

Mrs. Grogan presented the Board with a list of 8 courses requesting approval for courses available to licensees. Mr. Meadows made a motion, seconded by Mr. Hines to approve the continuing education courses that were presented. Being no discussion, the motion passed unanimously.

Other Business

Executive Session

Brenton Smith, General Counsel for the Board, declared there were pending legal matters that may affect the Board. Mr. Meadows made a motion, seconded by Mr. Wright to go into executive session for 20 minutes to discuss pending legal matters that may affect the Board. Being no discussion, the motion passed unanimously.

The Zoom participants were informed that the meeting would resume after the executive session. With the Zoom participants muted at 9:30 a.m., the Board members discussed pending legal matters.

After the Zoom participants were unmuted, Mr. Craddock called the meeting back to order at 9:47 a.m. with no actions to be taken.

Adjournment

Mr. Craddock ask if there were any questions from the Zoom participants, being no questions or other business, Mr. Craddock asked for a motion to adjourn. Mr. Wright made a motion, seconded by Mr. Meadows to adjourn the meeting at 9:48 a.m., and reconvene on July 12, 2021 at 9:00 a.m. The motion passed unanimously.

Minutes submitted by: E. Denise Grogan.



Mark N. Craddock, Chair



Charles M. Perine, Executive Director



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Alabama Board of Funeral Service

Notice Details

Posted-By: Alabama Board of Funeral Service

Meeting-Date: 4/5/2021

Meeting-Time: 9:00 AM

Meeting-Location:
11 South Union
Room 304
Montgomery, AL 36104

Phone-Number: 334-242-4049

Meeting-Type: regular

Submission-datetime: 3/9/2021 12:37:00 PM

Notice History:

Submitted on 1/11/2021 9:47:44 AM Revised on 3/9/2021 12:34:22 PM Revised on 3/9/2021 12:37:00 PM

Notice:

2021-2022 Quarterly Board Meeting
ZOOM MEETING ID 8689984378
PASSCODE 36104