



Alabama Board of Funeral Service

Special Called Meeting Minutes

February 7, 2019

Prior Notice

Prior notice of the Special Called meeting was posted to the Secretary of State website on January 11, 2019.

Attendance

Mr. Craddock, Chair, asked Mrs. Grogan for a roll call to establish a quorum. Mr. Perine informed the Board that the Board's two consumer members as of this day had not been appointed by the Lieutenant Governor and the Speaker of the House. The following members were present: Mark N. Craddock, Calvin Meadows, Bart Kirtland, John C. Rudder, and Annie Bushelon-Holt. Staff present; Charles M. Perine, Executive Director, and E. Denise Grogan, Associate Executive Director, recording. Also, present general counsel for the Board T. Cameron McEwen.

The following member was absent: Lorenzo Wright and Lance Brooks

Vacant: Consumer Member 1, Consumer Member 2

Call to Order

With a quorum established, Mr. Craddock called to order the special called meeting of the Alabama Board of Funeral Service at 10:18 a.m. on February 7, 2019 in Room 304 of the State House, 11 South Union Street, Montgomery, Alabama.

Administrative Hearing

Mr. Craddock yielded the floor to Mr. Salle', Administrative Hearing Judge from the Alabama State Personnel Department, to begin Administrative Hearing ABFS19-0009.

ABFS19-0009: Alabama Board of Funeral Service v Dana George, Demetrius Clark, and Peaceful Rest Memorial Funeral Home. Mr. Salle' asked counsel to state their names for the record. Present were, Mr. Cameron McEwen, general counsel for The Alabama Board of Funeral Service, Mr. Demetrius Clark and Dana George representing Peaceful Rest Memorial Funeral Home. Mr. Salle' noted Mr. Clark and Mr. George was present and asked if a copy of the complaint was received and the charges were understood. Mr. Clark and Mr. George stated they had received a copy of the complaint and they understood the charges.

Mr. Salle' introduced ABFS19-0009 Alabama Board of Funeral Service v Dana George, Demetrius Clark, and Peaceful Rest Memorial Funeral Home charging two violations including; Count One: Failure to maintain the general interior; Count Two: failing to maintain the general exterior. After being sworn in

by the court reporter Mr. Perine testified that proper service was given concerning notice of the hearing. Mr. McEwen introduced the evidence supporting Mr. Perine's testimony.

Mr. Salle' asked for opening statements, Mr. McEwen and Mr. Clark declined. The list of witnesses for ABFS19-0009 included Charles M. Perine, E. Denise Grogan, Demetrius Clark, and Dana George. After being sworn in by the court reporter the following witnesses; Mr. Perine, Mrs. Grogan, Mr. Clark, and Mr. George, disclosed their knowledge of AFBS19-0009 to Mr. Salle' and the Board as questioned by Mr. McEwen and Mr. Clark. Exhibits were entered into evidence.

At 11:55 a.m. Mr. Salle' granted fifteen-minute recess for all parties. Following the break with all parties re-assembled Mr. Salle' reconvened the administrative hearing.

Violations disclosed in the administrative complaint were as follows: Failure to maintain the general interior and exterior of Peaceful Rest Memorial Funeral Home. Following questions from the Board Mr. Salle' gave the Board instructions for rendering a decision on the case.

Executive Session

At the conclusion of the administrative hearing Mr. Craddock asked the will of the Board in rendering their decision Mr. Meadows made a motion seconded by Mr. Rudder to go into Executive Session for 10 minutes to discuss the matter of ABFS19-0009. It was noted that there was a quorum present.

Yes votes: Mr. Craddock, Mr. Kirtland, Mr. Rudder, Mr. Meadows, Ms. Bushelon-Holt.

Nay votes: None

Abstain: None

Absent: Mr. Wright, Mr. Brooks

Vacant: Consumer Member 1, Consumer Member 2

The motion passed unanimously.

Board members moved to an adjoining conference room at 12:20 p.m. to allow the Board to discuss the matter of ABFS19-0009. The audience was informed that the administrative hearing would resume at the conclusion of the executive session.

After all parties were called back into the room, Mr. Craddock called the administrative hearing back to order at 12:30 p.m. with the Board having a decision.

Mr. Meadows stated the following verdicts concerning each count:

Violation	Verdict
Count 1. Failure to maintain the general exterior	Guilty
Count 2. Failure to maintain the general interior	Guilty

Mr. Meadows made a motion, seconded by Mr. Rudder to suspend Peaceful Rest Memorial Funeral Homes' establishment license, and Dana George's, funeral director and embalmer licenses until the establishment's deficiencies had been corrected, certified by a licensed contractor and inspected by a representative of the Board. Following a compliant inspection Peaceful Rest Memorial Funeral Homes' establishment license, and Dana George, funeral director and embalmer licenses would be on probation for two-years.

Yes votes: Mr. Craddock, Mr. Kirtland, Mr. Rudder, Mr. Meadows, Ms. Bushelon-Holt.

Nay votes: None

Abstain: None

Absent: Mr. Wright, Mr. Brooks

Vacant: Consumer Member 1, Consumer Member 2

The motion passed unanimously.

Mr. Salle' informed all parties that the Boards findings would go out to the Respondents and no penalties would be in effect until the Final Order had been issued.

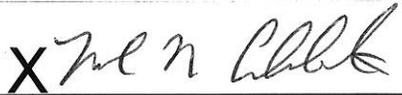
Other Business

Mr. Perine recommended that the contract inspector be hired as a part-time employee. Mr. Perine stated the inspector would be paid \$16,000.00 annually. Mr. Rudder moved to accept Mr. Perine's recommendation to hire the contact inspector as a part-time employee, seconded by Mr. Meadows. The motion passed unanimously.

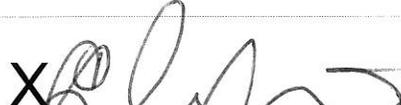
Adjournment

Being no other business, Mr. Craddock asked for a motion to adjourn and reconvene at 9:00 a.m. on April 8, 2019, Mr. Meadows moved to adjourn the meeting at 12:35 p.m., seconded by Mr. Rudder. The motion passed unanimously.

Minutes submitted by: E. Denise Grogan



Mark N. Craddock
Chair



Charles M. Perine
Executive Director