

West Virginia Board of Funeral Service Examiners  
BOARD MEETING  
March 12, 2019

A quorum of the Board being present, the meeting was called to order at 1:00 p.m. by Eugene Fahey, President. Members in attendance were Robert Fields, Bryan Nichols, Ron Waybright, and Rich Bishoff. Present by telephone was Fred Kitchen and John Valentine (who entered at 1:25pm). Non members present were Regina Anderson, Executive Director, Constance Sloan, Office Manager, and Anthony Eates, Assistant Attorney General.

Mr. Fahey asked if the members had read the minutes from the January 8, 2019 meeting and if there were any questions. There being no questions, a motion was made by Bryan Nichols, seconded by Rich Bishoff, that the Minutes be approved as read. The motion carried unanimously. (John Valentine was not present for the vote.)

The P-Card expenses were reviewed and there being no questions regarding the PCard expenses Rich Bishoff, seconded by Bryan Nichols, that the PCard expenses be approved. The motion carried unanimously. (John Valentine was not present for the vote.)

The Financial Reports were reviewed and Bob Fields questioned the payment of over time in December 2018. Ms. Anderson responded that no overtime was paid, that there was a glitch in the system which paid FLSA overtime but that had been recovered. No office staff was paid overtime. Gene Fahey suggested the Executive Director get a letter from the Payroll Department stating that no overtime was paid. On motion of Fred Kitchen, seconded by Robert Fields, the reports were unanimously approved. (John Valentine was not present for the vote.)

Fred Kitchen moved the Board go into Executive Session to discuss Complaint 2018-04, regarding Elk Funeral Home. Rich Bishoff seconded the motion which was approved unanimously. (John Valentine was not present for the vote.)

On motion of Fred Kitchen, seconded by Bob Fields, the Board voted unanimously to send the funeral home a letter outlining any remaining deficiencies at the funeral home and that a reinspection would be made in sixty (60) days. (John Valentine was not present for the vote.)

Bryan Nichols moved the Board return to Executive Session to discuss Complaint No. 2018-1A (Charleston Mortuary Service). The motion was seconded by Rich Bishoff and carried unanimously with the exception of John Valentine who was not present,.

The Board, on motion of Ron Waybright, seconded by Bryan Nichols, the Board voted unanimously to return to public session.

On Motion of Bob Fields, seconded by Rich Bishoff, the Board voted unanimously to dismiss Complaint 2018-1A.

At this time John Valentine came on line for the meeting.

Mr. Fahey then introduced Mr. Valentine to the Board members and the Assistant Attorney General.

The Board then moved to Complaint Committee recommendations. On motion of Bob Fields, seconded by Rich Bishoff, the Board voted unanimously to go into Executive Session. The Board returned to public session on motion of Rich Bishoff, seconded by Bob Fields, which motion carried unanimously.

Complaints 2019-02, 03 and 04 were continued to the next meeting.

The Complaint Committee recommended that Complaint 2018-05 be dismissed as there was no violation of the Funeral Services Act and that the funeral director acted in good faith to carry out the wishes of the deceased. On motion of Bob Fields, seconded by Rich Bishoff, the Board voted unanimously to dismiss the Complaint.

On motion of Rich Bishoff, seconded by Fred Kitchen, the Board voted unanimously to go into Executive Session for the purpose of discussing the hiring of a new inspector. Bob Fields moved, seconded by Rich Bishoff that at the Board return to public session. The motion carried unanimously.

Ron Waybright moved that the Board offer to Greg Nowlin the position of Inspector, at the salary currently being paid, provided that he meets the requirements set by statute. The motion was seconded by Bob Fields and carried unanimously.

Mr. Fahey announced that the next meeting would be May 7, 2019 at 1pm with the Complaint Committee meeting at 10am that morning.

Mr. Kitchen then announced that he had to leave the meeting. The time was 1:50pm.

Licenses were signed for the following:

**Funeral Directors:**

Ernest M. Nicholas, III  
Charles E. Custer, II

**Apprentices:**

Kelsey L. Baxter  
Patricia A. Callender  
Kyle A. George  
Shandy D. Keaton  
Lacey D. Sims

**Funeral Homes:**

Bartlett-Nichols Funeral Home (new ownership)

There being no further business to be conducted, the Board adjourned.

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Executive Director

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Board President