

WV Board Of Funeral Service Examiners
Board Meeting Minutes
179 Summers Street, Suite 319
Charleston, WV 25301

November 17, 2020
12:00 p.m.

Members Present: Eugene Fahey, President, Robert Fields, Vice President, Rich Bishoff, Fred Kitchen, Bryan Nichols, Ronald Waybright Member Via Phone: John Valentine and Anthony Eatés, Attorney

Staff Present: Linda Lyter, Executive Director, Grady Bowyer and John McDowell

Guests Present - N/A

Call meeting to order at 12:01 p.m. by president of the board - Quorum established.

A motion is made by Fred Kitchen to approve the meeting minutes for the September 22, 2020 meeting. Seconded by Bob Fields. Motion approved.

A motion is made by Rich Bishoff to approve the amended work session minutes for October 13, 2020. Seconded by Bryan Nichols. Motion approved.

Complaint review - A motion is made by Rich Bishoff to go into executive session to review and discuss complaints. Seconded by Ron Waybright. Motion approved.

Complaint # 2020-02 remains open. No response received to date.

Complaint # 2020-09 Discussion with a recommendation to close the complaint.

Complaint # 2021-00 remains open. Review and discussion of the complaint. Recommendation to vote on disciplinary action.

Complaint # 2021-04 Bob Fields left the room prior to review & discussion. No probable cause or violation of law. Recommendation to close. Bob returned to meeting room.

Complaint # 2021-05 Stays open with recommendation to send to law enforcement.

Complaint # 2021-06 Stays open. Request additional information from complainant.

Complaint # 2021-07 Stays open.

A motion is made by Rich Bishoff to come out of Executive Session, seconded by Fred Kitchen. Motion approved.

Complaint # 2020-02 A motion is made by Rich Bishoff to summon the Licensee In Charge (LIC) to appear at the next regular scheduled board meeting. Lyter to hand deliver letter to licensee. Seconded by Fred Kitchen. Motion approved.

Complaint # 2020-09 Consent Decree signed. A motion is made by Rich Bishoff to close this case. Seconded by Fred Kitchen. Motion approved.

Complaint # 2021-00. A motion is made by Rich Bishoff regarding probable cause of a violation and to issue a \$1,000.00 fine to licensee via Consent Decree. Seconded by Fred Kitchen. Motion approved.

Complaint # 2021-04 A motion is made by Rich Bishoff to dismiss the complaint due to no probable cause or violation of law. Seconded by Fred Kitchen. Motion approved.

Complaint # 2021-05 Stays open. Send information to law enforcement.

Complaint # 2021-06 Stays open. Request additional information from complainant.

Complaint # 2021-07 Stays open. Lyter to hand deliver complaint letter to licensee.

Discussion regarding license reinstatement and lapsed versus inactive licenses.

Anthony off the call @ 12:56 p.m.

Thayer Smith, Crematory Operator license reinstatement and Brian Jarrett, Licensee In Charge (LIC). A motion is made by Ron Waybright to approve the reinstatements based on the submission of the required documents and appropriate fees. Seconded by Bryan Nichols. Motion approved.

Executive Director's Report: Legislative update, meetings & rules review, laptop purchased and issue w/ phones. Hold off on new phone system board receives additional information on consolidation of some of the smaller boards. RE: information for answering service. Fred mentioned the vendor, Funeral Connections and monthly fees. Staff to follow-up.

Bowyer presented the Finance Report – A motion is made by Bryan Nichols to approve the Finance Report. Seconded by Rich Bishoff. Motion approved.

Lyter & Bowyer presented the P-Card Report for September & October 2020. A motion is made by Ron Waybright to approve the P-Card Report. Seconded by Rich Bishoff. Motion approved.

Office Manager Report: Bowyer provides updates on Rules and Database. Facilities should be uploaded by Friday.

Registered apprenticeship programs & conference training discussed by McDowell.

Discussion of volunteer request. Consensus to permit Melissa Cyfers to volunteer to assist with exam committee. Confidentiality agreement must be signed by volunteer.

A motion to approve the following continuing education courses is made by Fred Kitchen and seconded by Ron Waybright. Motion approved.

Regulatory Support Services: OSHA – On Target: Hitting the Bullseye with OSHA Workplace Safety - 3hrs., FTC Are Changes on the Horizon – 1 hr. Funeral Service in a Pandemic OSHA Enforcement: Methods to the Madness – 1 hr.
Web CE: Modern Funeral Mgt. – 3 hrs.

For future reference, new continuing education can be approved by staff and any new continuing education providers will be approved by the Board.

John off call @ 2:12 p.m.

Bob had to leave early @ 2:12 p.m.

Board member concerns: Discussion regarding pre-need and life insurance policies assigned to funeral homes. Gene will provide information at the WVFDA meeting at Canaan Valley on November 18, 2020. McDowell discussed the exam committee update, exam review, number of test questions, topic areas etc.

Licenses signed by board members. Will mail to member not in attendance.

Next regular scheduled meeting to be held on January 20, 2021 at 12:00 p.m.

A motion is made by Rich Bishoff to adjourn meeting. Seconded by Fred Kitchen. Motion approved.