

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

September 22, 2020  
12:00 p.m.

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

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

Guest Present: Rob Kimes, WVFDA

Call meeting to order at 12:05 p.m. by president of the board - Quorum established.

A motion is made by Bryan Nichols to approve the meeting minutes for the July 14 and September 10, 2020 meetings. Seconded by Ron Waybright. Motion approved.

Complaint # 2020-02 remains open. No response received to date. Anthony to send follow-up letter.

Complaint # 2020-09 Discussion begins and a motion is made by Bryan Nichols to go into Executive Session for further discussion of complaints. Seconded by Ron Waybright. Motion approved. Guest leaves room.

Complaint remains open. Anthony to prepare Consent Decree upon board approval.

Complaint # 2021-00 remains open. Action Item: Delay until next meeting until additional information is reviewed.

Complaint # 2021-01 No probable cause or violation of law. Recommendation to close.

Complaint # 2021-02 Now in compliance. Recommendation to close.

Complaint 2021-03 No probable cause or violation of law. Recommendation to close.

#### Investigative Update

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

Complaint 2021-01 A motion is made by Bob Fields to close this case. Seconded by Fred Kitchen. Motion approved.

Complaint # 2021-02 A motion is made by Bob Fields to close this case. Seconded by Fred Kitchen. Motion approved.

Complaint 2021-03 A motion is made by Bob Fields to close this case. Seconded by Fred Kitchen. Motion approved.

Executive Director's Report: Legislative Update, Meetings & Rules Review, Laptop Purchase and Issue w/ Phones.

A motion is made by Rich Bishoff to purchase a laptop. Seconded by Ron Waybright. Motion approved.

Phone Issues: Contact phone company to check lines prior to purchase of new phones. Will try to determine what the problem is first. A motion is made by Bob Fields to purchase new phones up to an amount of \$1,000.00 if determined to be necessary at this time. Seconded by Fred Kitchen. Motion approved.

Lyter & Bowyer presented Finance Report. Budget Appropriation Request was submitted for FY 2022 as required. A motion is made by Bob Fields to approve the Finance Report. Seconded by Bryan Nichols. Motion approved.

Lyter & Bowyer presented the P-Card Report for June, July and August 2020. A motion is made by Fred Kitchen to approve the P-Card Report. Seconded by Bob Fields. Motion approved.

Office Manager Report: Bowyer presents Rules Review Series 1, 2 and 7. Request the need for modification of age requirement for a crematory operator. A motion is made by Bob Fields to include an age requirement of 18 for crematory operators into Series 2 Rules. Seconded by Ron Waybright. Motion approved.

Crematory Operator's Training- will discuss at work session meeting, Archives & History Records & Retention Policies. A motion is made by Ron Waybright to release only the deceased files to Archives and History for historical and preservation purposes. Seconded by Rich Bishoff. Motion approved. Retention & Disposal Policy discussion for consideration at a later date.

Licensee Database and Renewals Update Expiring Renewals List - Inspections  
Rich off call @ 1:21 p.m.

Guest: Rob Kimes comments on position of WVFDA for the rules revisions. The organization met on September 9, 2020 and has no objections to modifications. Discussion of apprenticeship, 40 hour work week, define LIC, primary occupation/source of income, etc.

John off call @ 1:49 p.m.

Anthony off call @ 2:00 p.m.

Exam Committee Report: McDowell presents update for exam committee. Sectioned the exam

questions into relevant categories. Board discussion on the necessity of moving forward to update the state law exam questions on the state test. Many questions are outdated. Will reach out and work with the Conference at a future date to plan, organize and achieve this extensive project. Request exam passing rate from conference.

Inspector's Report: Nowlin presented an update on completed inspections and responded to questions. Board discussion of inspections potentially being modified at a future date based on the renewal cycle year. A motion made by Fred Kitchen to approve the inspection report. Seconded by Bob Fields. Motion approved.

Reminder of the work session meeting at 10:30 a.m. on October 13, 2020 for review of the state law exam and other board business. Discussion of agenda items.

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

Next regular scheduled meeting to be held on November 17, 2020 at 12:00 p.m.

A motion is made by Ron Waybright to adjourn meeting. Seconded by Bryan Nichols. Motion approved.