

**Minutes**  
South Carolina Perpetual Care Cemetery Board  
Board Meeting  
1:00 p.m., **November 13, 2006**  
Denny Auditorium  
141 Monticello Trail  
Columbia, South Carolina 29203

Mr. Russ, Chairman, called the meeting to order at 1:00 p.m.

Board members attending the meeting included: J. W. Russ, of Conway; W. Russel Floyd, Jr., of Spartanburg; Roger Finch, of Honea Path; Andrew Cone, of Pickens; John E. Bartus, of Mauldin; Rick Riggins, of Lancaster and Thomas Johnson of Charleston.

Staff members participating included: Wendi Elrod, Administrative Specialist; Randall L. Bryant, Assistant Deputy Director, Barbara Foster, Assistance Supervisor; Rick Wilson, General Counsel; Robin Wilkes, BRS staff CPA; Jeanie Rose, Administrative Specialist; Doris Cubitt, Accountancy Board Administrator; Ernest Adams, BRS Inspections; Raymond Lee, BRS Inspections; Blaine Mosher, BRS Computer Support and Mike Anderson, Office of Investigations and Enforcements.

Members of the public participating included: Randolph Shives, Shives Funeral Home, Columbia; R L Kannaday, Greenlawn Memorial Gardens, Dillon; Ashley Hicks, Southland Memorial Gardens, West Columbia; Brent Caughman, Bush River Memorial Gardens, Irmo; Don Green, Elmwood Memorial Gardens, Columbia; Tammy Chandler, Greenlawn Memorial Gardens, Columbia and Scott Ahrendt – SCI.

**Meeting Called to Order** – Public notice of this meeting was properly posted at the S. C. Perpetual Care Cemetery Board office, Synergy Business Park, Kingstree Building, provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. A quorum is present.

**Pledge of Allegiance**

All present recited the Pledge of Allegiance.

**Approval of August 16, 2006 Meeting Minutes**

**Approval of September 7, 2006 Conference Call Minutes**

**Motion**

*Mr. Bartus made a motion for the minutes to be accepted as is, seconded by Mr. Floyd and unanimously carried.*

**Chairman's Remarks – J. W. Russ**

*Mr. Russ welcomed all guest to the Board Meeting.*

**Assistant Deputy Director's Remarks, For Information – Randall L. Bryant**

## **Action Items (Vote Required)**

### New Business

#### **1. Elections**

##### Chairman

*Mr. J. W. Russ opened the floor for nominations for Chairman.*

*Mr. Rick Riggins nominated Mr. Russ as Chairman.*

##### Motion

*Mr. Riggins made a motion for Mr. Russ be elected as Chairman, seconded by Mr. Bartus and unanimously carried.*

##### Vice Chairman

*Mr. J. W. Russ opened the floor for nominations for the Vice Chairman.*

*Mr. Riggins nominated Mr. Floyd as Vice Chairman.*

##### Motion

*Mr. Bartus made a motion for Mr. Floyd be elected as Vice Chairman, seconded by Mr. Riggins and unanimously carried.*

#### **2. Board meeting dates 2007**

*Mr. Russ asked for a motion to accept the Board meeting dates.*

*Mr. Floyd stated that February 27, 2007 would be a conflict for him and asked if it would be possible to have that date changed.*

##### Motion

*Mr. Bartus made a motion that the Board meeting dates for 2007 be accepted except for the February 27, 2007 date, seconded by Mr. Riggins and unanimously carried.*

*The February 27, 2007 Board meeting date was changed to March 6, 2007 after written approval by all Board members.*

#### **3. Transfer of PC Trust Funds / Alderwoods/SCI**

*Mr. Russ stated that it looks like to him that the transfer is a clear-cut transfer from Wachovia Bank to US Bank. It was stated that US Bank is an International Bank so therefore they are licensed to do business in this state.*

##### Motion

*Mr. Floyd made a motion for the SCI Trust Transfer to be accepted provided that documentation is submitted showing they are licensed to do business in this state, seconded by Mr. Finch and unanimously carried.*

**4. Update on Annual Reports while under the Secretary of States Office – Robin Wilkes, CPA**

*Ms. Doris Cubitt stated that the annual reports that would have been submitted to the Secretary of States Office were located and is housed at the State Library. Mr. Robin Wilkes would be the one to follow up and review these reports however he has not had an opportunity to review the records at the State Library at this time. Ms. Cubitt stated that Mr. Wilkes would add time to his schedule to review these records prior to the next Board Meeting.*

**5. Greenlawn Perpetual Cemetery, Dillon, SC – R L Kannaday**

*Mr. R. L. Kannaday stated that Care and Maintenance Fund is the only fund for this cemetery, there isn't a Merchandise account. Mr. Russ asked if the only thing lacking is the audit of the Care and Maintenance Trust Fund? Mr. Kannaday indicated that this was correct because the current owner had only sold lots not monuments sales or preneed or even at-need. Mr. Kannaday stated that the current owner would provide the Care and Maintenance Trust fund audit.*

*Mr. J. W. Russ questioned if there is a mortgage on the cemetery and how far from closing are they. Mr. Kannaday indicated that to his knowledge there isn't a mortgage on the property and is unsure how long until the closing date. Mr. Russel Floyd stated that the Boards position is to make sure the new owner assumes the liabilities of the cemetery. Mr. Floyd asked what the acreage of this cemetery is. Mr. Kannaday there is about 28 to 30 acres and there is about 200 more acres behind the cemetery that he may have an opportunity to buy.*

*Mr. Rick Wilson stated that he doesn't believe a vote can be taken at this time due to there are still questions about the contract and the audit.*

*The discussion was tabled until the contract is completed and the audit has been submitted.*

**6. Keystone Group / Alderwoods, Cemetery Sales**

- a. Bush River Memorial Gardens
- b. Elmwood Memorial Gardens
- c. Southland Memorial Gardens

*Mr. Scott Ahrendt stated that Alderwoods-SCI is selling the three properties to Keystone Group out of Florida. Mr. Ahrendt stated that the audit for Bush River Memorial Gardens, Elmwood Memorial Gardens, and Southland Memorial Gardens would be completed in mid December. Mr. Floyd inquired if Elmwood Memorial Gardens was mortgaged? Mr. Russ stated that at one time there was a 2 million-dollar mortgage on the Elmwood property. Mr. Randolph Shives stated that an individual that mortgaged the cemetery once owned the property. Mr. Floyd stated that clarification is needed if the cemetery has a mortgage or not.*

*Mr. Andy Cone stated that if opening and closings were sold then the money should be trusted prior to the sell of the cemetery. Mr. Shives stated that if the money wasn't trusted then Keystone, Group would assume the liability.*

*Mr. John Bartus stated that documentation that was submitted that there was some acreage sold, so a revised plat should be submitted for any changes to the property.*

*The Board stated that a plat for the locations, mortgage information on Elmwood Memorial Gardens and an audit for all locations would need to be submitted before the Board can rule on the sale of these cemeteries.*

Unfinished Business

**7. IRC - Tony Kennedy, Investigator**

*No compliant to be discussed at this time.*

**Executive Session (To Consider Disciplinary Matters and/or Seek Legal Advice)**

**Adjournment**

There being no further business to be discussed at this time, Mr. Floyd made a motion that the meeting be adjourned at 2:12 pm, seconded by Mr. Finch.

The next meeting of the S.C. Perpetual Care Cemetery Board has been scheduled for March 6, 2007.