

MINUTES
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES
TELECONFERENCE MEETING
November 2, 2017 - 10:00 A.M.

1. Call to Order, Preliminary Remarks, and Roll Call

Mr. Jody Brandenburg, Chair – Good morning everyone. Welcome to the Board of Funeral, Cemetery, and Consumer Services’ teleconference Meeting. It’s November 2, 2017. I’m calling this meeting to order. Ms. Simon, would you make the preliminary remarks and do the roll call, please?

Ms. Ellen Simon – Yes sir, but if I may do the roll call first? I want to make sure that there are sufficient people on the phone call.

Chair – Thank you.

Ms. Simon – Mr. Brandenburg?

Chair – Present.

Ms. Simon – Ms. Anderson?

Ms. Jean Anderson – Present.

Ms. Simon – Mr. Clark?

Mr. Andrew Clark – Present.

Ms. Simon – Mr. Hall?

Mr. Lew Hall – Present.

Ms. Simon – Mr. Helm?

Mr. Powell Helm – Present.

Ms. Simon – Mr. Jones? Mr. Jones?

Ms. Simon – Ms. Oliver?

Ms. Vanessa Oliver – Present.

Ms. Simon – Thank you. I think that does constitute a quorum. Mr. Chairman, my name is Ellen Simon. I’m the Assistant Director of the Division of Funeral, Cemetery, and Consumer Services.

Chair – Excuse me. Did you complete the roll call? Ms. Simon?

Ms. Simon – I thought I did. I’m sorry sir. I understand that Mr. Davis is not available for this meeting, and neither is Mr. Bango.

Chair – Did you call Mr. Knopke’s name?

Ms. Simon – I did not call Mr. Knopke’s name and Mr. Knopke is on standby in case we did not have a quorum for this morning’s meeting.

Chair – Thank you.

Mr. Ken Jones – This is Ken Jones. I just dialed in.

Ms. Simon – Thank you, Mr. Jones.

Chair – Thank you, Mr. Jones. Ms. Simon, we do have a quorum?

Ms. Simon – Yes sir.

Chair – Thank you.

Ms. Simon – For my opening remarks, my name is Ellen Simon. I'm the Assistant Director of the Division of Funeral, Cemetery, and Consumer Services. Today is November 2, 2017 and it is approximately 10:00 A.M. This is a public meeting of the Board of Funeral, Cemetery, and Consumer Services. The meeting is being held, by teleconference. Notice of the meeting has been duly published in the Florida Administrative Register. An agenda for the meeting has been made available to interested persons. The call-in number was placed on the agenda. The Board's staff present for this meeting are in the Claude Denson Pepper Building, in Tallahassee FL. Ms. LaTonya Bryant is recording the meeting and minutes will be prepared. Persons speaking are requested to identify themselves for the record each time they speak. Participants are respectfully reminded that the Board Chair, Mr. Brandenburg, runs the meeting. Persons desiring to speak should initially ask the Chair for permission.

Ms. Simon – Mr. Chairman, there is a quorum to conduct the business of the Board.

Mr. Chair – Thank you.

Also noted as present:

- Mary Schwantes, Executive Director (via phone)
- Tom Barnhart, Board Legal Advisor (via phone)
- LaTonya Bryant, Department Staff
- Jasmin Richardson, Department Staff
- Lashonda Morris, Department Staff
- Nicole Singleton, Department Staff

2. Action on Minutes
A. October 5, 2017

Chair – The first item on our agenda is the action on the minutes from the October 5, 2017 meeting.

MOTION: Mr. Ken Jones moved to adopt the minutes of the meeting. Mr. Lew Hall seconded the motion, which passed unanimously.

23. Old Business
A. Application(s) for Embalmer Apprenticeship
(1) Recommended for Approval without Conditions
(a) Brown, Jerard J.

Chair – Next, I'd like to go a little bit out of order and go to Item 23, Old Business, that was added to the agenda later and is part of your amended agenda. So, let's go to Item 23. Ms. Simon?

Ms. Simon – Thank you, Mr. Chairman. The applicant submitted an application to become an Embalmer Apprentice on March 22, 2017. The application was incomplete when submitted. All deficient items were returned on May 10, 2017. A completed background check revealed that the applicant has pending criminal actions in Clinch County, Georgia. The applicant has been indicted on six (6) counts of Child Molestation and six (6) counts of Sexual Battery Against a Child Under

16. The applicant was on the agenda earlier this year and at that time the matter was tabled after the applicant waived the deemer provisions. We intended on coming back before the Board once the criminal charges had been dealt with and had been disposed of. On October 20, 2017, the charges against Mr. Brown were nolle prossed (dismissed). The effect of the nolle prosequi is that Mr. Brown is no longer under a requirement to report this matter to the Board on an application for an Embalmer Apprentice. As a result of these actions that have occurred since the previous time Mr. Brown was before the Board, the Division is recommending approval of this licensure without conditions.

Chair – Thank you. Is Mr. Brown on the call? Mr. Jerard Brown? Mr. Brown? Mr. Brown? No response. Board? I think we all remember when he came before the Board and the direction was after the charges were addressed, come back with an application.

Mr. Helm – Mr. Chairman, this is Helm.

Chair – Mr. Helm?

Mr. Helm – I couldn't quite understand Ms. Simon when she said, as I understand it, the charges were dropped?

Ms. Simon – Yes sir.

Chair – Ms. Simon, would you repeat that part of your statement?

Ms. Simon – Yes sir. The charges were nolle prossed, which essentially means they were dismissed by the state attorney involved in this matter.

MOTION: Mr. Helm moved to approve the application. Ms. Anderson seconded the motion, which passed unanimously.

3. Application(s) for Preneed Sales Agent
A. Informational Item (Licenses Issued without Conditions) – Addendum A

Ms. Simon – This is an informational item. Pursuant to s. 497.466, F.S., the applicants have been issued their licenses and appointments as preneed sales agents.

4. Application(s) for Continuing Education Course Approval
A. Recommended for Approval without Conditions – Addendum B
(1) National Funeral Directors Association (136)
(2) SCI Management – Dignity University (99)
(3) Selected Independent Funeral Homes (137)
(4) The Dodge Institute for Advanced Mortuary Stu (81)

Ms. Simon – Pursuant to s. 497.147, F.S., and Board Rule 69K-17.0041, F.A.C., the courses presented have been reviewed by the CE Committee and the Committee, as well as the Division, recommends approval of the applications for the number of hours indicated.

MOTION: Mr. Hall moved to approve the applications. Mr. Helm seconded the motion, which passed unanimously.

5. Application(s) for Florida Law and Rules Examination
A. Informational Item (Licenses Issued without Conditions) – Addendum C
(4) Funeral Director and Embalmer (Internship and Exam)
(a) Ash, Robert M
(b) Davis, Danielle E
(c) Goodwin, Teresa
(d) Hubbard, Dustin
(e) O'Data, Jon C
(f) Stone, Steven A

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved these applications.

6. Application(s) for Internship

- A. Informational Item (Licenses Issued without Conditions) – Addendum D**
- (2) *Funeral Director and Embalmer*
 - (a) *Arteaga, Anderson F205770*
 - (b) *Bryant, Scheron F205262*
 - (c) *Licata, Kimberly A F206994*

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved these applications.

7. Application(s) for Embalmer Apprenticeship

- A. Informational Item (Licenses issued without Conditions) – Addendum E**
- (1) *Davis, Cheryl L F091791*
 - (2) *Miller, James K F075002*

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved these applications.

8. Notification(s) for Change of Location

- A. Informational Item (Licenses issued without Conditions) – Addendum F**
- (1) *Reflexions Funeral Home Inc (Miami) (F062912)*

Ms. Simon – This is an informational item. Pursuant to ss. 497.380(12)(b), 497.604(7), 497.606(7), F.S., the establishments have applied for a change of location. The Board has requested that it be notified of these changes in location. Accordingly, the addendum has been provided to the Board. The requisite inspections have not yet been conducted.

9. Application(s) for Registration as a Training Agency

- A. Informational Items (Licenses Issues without Conditions) – Addendum G**
- (1) *SCI Funeral Services of Florida LLC d/b/a Riverside-Stanetsky Memorial Chapels (F041558) (Delray Beach)*
 - (2) *Viera Funeral Homes LLC d/b/a Beach Funeral Homes & Cremation Services (F052124) (Delray Beach)*

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved these applications.

10. Application(s) for Monument Establishment Builder License and Monument Retail Sales Agreement

- A. Recommended for Approval with Conditions (Monument Establishment Builder License)**
- (1) *Nefesh Monuments Inc. (Atlantis)*

Ms. Simon – Nefesh Monuments Inc. has submitted the following: (1) an application for a monument establishment builder license and (2) a monument sales retail agreement. The application was submitted on August 23, 2017 and complete subject to the return of a completed background check for Applicant’s principals: Haryl Askotzky, Norbert Baumann, and Elchonon Zohn, and the passing of an initial inspection to be conducted by the Division. If approved, Applicant will operate as a monument establishment builder at the above specified location and utilize the attached monument sales retail agreement.

The Division is recommending approval subject to the following conditions:

- 1) That a completed background check for Applicant’s principals is returned without criminal history.
- 2) That Applicant pass the inspection for licensure as a Monument Builder.
- 3) That two (2) full sized print-ready copies of the monument retail sales agreement are received by the Department within 60 days of this Board meeting.

MOTION: Mr. Jones moved to approve the application and agreement subject to the conditions recommended by the Division. Ms. Oliver seconded the motion, which passed unanimously.

11. Application(s) for Direct Disposal Establishment

A. Recommended for Approval *with* Conditions

(1) *Crevasse's Simple Cremations Inc (Jacksonville)*

Ms. Simon – An application for a Direct Disposal Establishment was received on October 5, 2017. The application was incomplete when submitted. All deficient items were returned on October 18, 2017. The Funeral Director in Charge will be Amy Beckner (F028465). A background check of the principals revealed no relevant criminal history. The Division is recommending approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

MOTION: Ms. Oliver moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Ms. Anderson seconded the motion, which passed unanimously.

Chair – Thank you, Ms. Oliver.

Ms. Oliver – Anytime.

(2) *Sunshine Cremation Services LLC (Boca Raton)*

Ms. Simon – An application for a Direct Disposal Establishment was received on October 6, 2017. The application was incomplete when submitted. All deficient items were returned on October 17, 2017. The Funeral Director in Charge will be Anthony Cartagena (F069744). A background check of the principals revealed no relevant criminal history. The Division is recommending approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

MOTION: Mr. Clark moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Mr. Hall seconded the motion, which passed unanimously.

(3) *Tillman Cremation Services LLC (Jacksonville)*

Ms. Simon – An application for a Direct Disposal Establishment license, due to a change of ownership, was received by the Division on September 13, 2017. The application was incomplete when received. All deficient items were received on October 6, 2017. The Funeral Director in Charge will be Melissa Tillman (F063974). A background check of the principals revealed no relevant criminal history. The Division is recommending approval subject to the condition(s) as follows:

- 1) That the applicant supplies the court records for dissolution of marriage according to the written statement provided in the Board package.
- 2) That the establishment passes an inspection by a member of Division Staff.

MOTION: Mr. Jones moved to approve the application subject to the conditions recommended by the Division. Mr. Clark seconded the motion, which passed unanimously.

12. Application(s) for Funeral Establishment

A. Recommended for Approval *with* Conditions

(1) *Aaron's Low Coast Cremation & Funeral LLC (Wilton Manors)*

Ms. Simon – An application for a Funeral Establishment was received on September 22, 2017. The application was complete when submitted. The Funeral Director in Charge will be Mark Telesca (F042359). A background check of the principals revealed no relevant criminal history. The Division is recommending approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

MOTION: Mr. Helm moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Mr. Hall seconded the motion, which passed unanimously.

(2) *Neptune Management Corp d/b/a Neptune Society (Tallahassee)*

Ms. Simon – An application for a Funeral Establishment was received on September 7, 2017. The application was incomplete when submitted. All deficient items were returned on October 11, 2017. The Funeral Director in Charge will be Sheila Williams (F043060). A background check of the principals revealed no relevant criminal history. The Division is recommending approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

MOTION: Mr. Hall moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Ms. Oliver seconded the motion, which passed unanimously.

(3) Remembrance Services of Florida LLC d/b/a Sound Choice Cremation & Burials (Bradenton)

Ms. Simon – An application for a Funeral Establishment was received on October 3, 2017. The application was complete when submitted. The Funeral Director in Charge will be Michael Uselton (F043881). A background check of the principals revealed no relevant criminal history. The Division is recommending approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

MOTION: Mr. Hall moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Ms. Oliver seconded the motion, which passed unanimously.

Mr. Michael Uselton – Mr. Chairman?

Chair – Yes?

Mr. Uselton – This is Mike Uselton. The inspector did visit and inspected the facility on October 23rd, Miriam Del Valle. Just for the record.

Chair – Thank you.

13. Application(s) for Preneed Main License

A. Recommended for Approval with Conditions

(1) A Perfect Storm of Palm Coast, LLC d/b/a Chambery Family Funeral Home and Cremations (Palm Coast)

Ms. Simon – The Department received the application on August 25, 2017, and all deficiencies were resolved as of October 12, 2017. The principal and owner of the LLC will be Paul L. Chambery. A completed background check revealed no criminal history. Applicant’s qualifying funeral establishment license was issued as of July 6, 2017. If approved, Applicant will use the pre-approved Funeral Services, Inc. (FSI) First Florida Trust Agreement (Sabal Trust Company) and pre-arranged funeral agreement. Documentation establishes that Paul R. Chambery (principal and co-owner of applicant herein) filed for Ch. 13 bankruptcy in 2014. This was a personal bankruptcy action that was granted as of December 2014, by the Middle District Court of Florida. Mr. Chambery has provided a notarized statement and court documentation evidencing the disclosed bankruptcy. The Applicant’s financial statements as of August 22, 2017, reflect the following:

Outstanding Preneed Contracts	= \$	0
Required Net Worth	= \$	10,000
Reported Net Worth	= \$	56,350

The Division is recommending approval subject to the condition that the Board accepts and approves the terms and conditions of the Stipulation for Licensure entered into by Applicant’s principal, Paul L. Chambery, for 24-month probation, also presented at this Board teleconference meeting.

MOTION: Mr. Hall moved to approve the application subject to the condition that the Board accepts and approves the terms and conditions of the Stipulation for Licensure entered into by Applicant’s principal, Paul L. Chambery, for 24-month probation, also presented at this Board teleconference meeting. Mr. Helm seconded the motion, which passed unanimously.

14. Collection Application(s) – Application for Preneed Main License and Preneed Sales Agreement

A. Recommended for Approval with Conditions

(1) *Sunshine Cremation Services, LLC (Boca Raton)*

Ms. Simon – Sunshine Cremation Services, LLC has submitted the following: (1) an application for a preneed license and (2) a preneed sales agreement. The application was submitted on October 6, 2017 and all items resolved as of October 19, 2017. The officers and principals of the corporation will be: Mark Sunshine, Keith Kronish, Max Urlich, Robert Blum, and Christopher G. Lally. A completed background check of all officers revealed no criminal history. Applicant’s application for its qualifying direct disposal establishment license is also being presented at this Board teleconference meeting. If approved, Applicant will sell trust-funded preneed through First State Trust Company/Citibank N.A., administered by Cooperative Funeral Fund, Inc. (CFFI) and utilize the attached Sunshine Cremation Services, LLC Prearranged Cremation Contract. The Applicant’s financial statements as of October 1, 2017, reflects the following:

Outstanding Preneed Contracts	= \$	0
Required Net Worth	= \$	10,000
Reported Net Worth	= \$	25,000

The Division is recommending approval subject to the following conditions:

- 1) That the Board approves the application for its qualifying direct disposal establishment license subject to passing of an on-site inspection.
- 2) That two (2) full sized print-ready copies of the monument retail sales agreement are received by the Department within 60 days of this Board meeting.

MOTION: Mr. Jones moved to approve the application and agreement subject to the conditions recommended by the Division. Mr. Clark seconded the motion, which passed unanimously.

15. *Application(s) for Preneed Branch License*
A. Recommended for Approval with Conditions – Addendum H

Ms. Simon – The applicants listed on the addendum have applied for a preneed branch license. The applications were complete without reportable criminal or disciplinary history. It appears that the applicants qualify for branch licensure and the Division is recommending approval of each preneed branch license.

Chair – Is there a motion?

MOTION: Mr. Jones moved to approve the application(s) subject to the conditions recommended by the Division. Ms. Anderson seconded the motion, which passed unanimously.

Chair – By the way, there’s some talking in the background that’s rather distracting to us. Maybe you could mute your phone or your conversation.

16. *Application(s) for Removal Facility*
A. Recommended for Approval with Conditions
(1) *Prime Removal Services Inc (Boca Raton)*

Ms. Simon – An application for a Removal Facility was received on September 21, 2017. The application was incomplete when submitted. All deficient information was received on October 17, 2017. A background check of the principals revealed no relevant criminal history. The Division is recommending approval subject to the condition that the facility passes an onsite inspection by a member of Division Staff.

MOTION: Ms. Oliver moved to approve the application subject to the condition that the facility passes an onsite inspection by a member of Division Staff. Mr. Jones seconded the motion, which passed unanimously.

17. *Contract(s) or Other Related Form(s)*
A. Recommended for Approval with Conditions
(1) *Preneed Sales Agreement(s)*
(a) *Cremation Care Providers of Central Florida, LLC (Kissimmee)*

Ms. Simon – Cremation Care Providers of Central Florida, LLC submits a Prearranged Funeral Agreement for approval. If the form is approved, it is to be used for the sale of trust-funded preneed contracts by this preneed licensee. The Division is recommending approval subject to the condition that two (2) full sized print-ready copies, of each contract, are received by the Department within 60 days of this Board meeting.

MOTION: Ms. Oliver moved to approve the request subject to the condition that two (2) full sized print-ready copies, of each contract, are received by the Department within 60 days of this Board meeting. Mr. Clark seconded the motion, which passed unanimously.

Chair – Pardon me. Again, there’s someone on the call who’s having a conversation in the background. If you’d please mute your phone or either discontinue your conversation or discontinue the call.

Ms. Simon – Moving on to item...

Chair – Ms. Simon, just a moment. It’s very difficult for us to move forward with that call in the background. Whoever’s talking in the background, please mute your phone. Ms. Simon, move forward, please.

(b) *SCI Funeral Services of Florida, LLC (Altamonte Springs)*

Ms. Simon – SCI submits the following amended preneed cemetery agreement form for approval: Cemetery Interment Rights, Merchandise, and Services Purchase/Security Agreement (Form 604-FL REV 9/17). If the amended form is approved, it is to be used by various SCI related preneed branch locations. The Division is recommending approval subject to the condition that two-full sized print-ready copies, of the agreement, is received by the Department within 60 days of this Board meeting.

MOTION: Mr. Jones moved to approve the request subject to the condition that two-full sized print-ready copies, of the agreement, is received by the Department within 60 days of this Board meeting. Mr. Hall seconded the motion.

Chair – I think I need to disclose my affiliation with SCI Funeral Services of Florida and this affiliation, in no way, will affect my ability to make fair and impartial decisions on this case or anything coming before the Board today. There’s been a motion made to approve with conditions and it’s been seconded. All those in favor, aye?

Board members – Aye.

Chair – And any opposed? And that motion carries.

18. Consumer Protection Trust Fund Claims

A. *Recommended for Approval without Conditions – Addendum I*

Ms. Simon – The CPTF claims presented on the Addendum have been reviewed by the Division and the Division recommends approval for the monetary amounts so indicated.

MOTION: Mr. Hal moved to approve all the claim(s), for the monetary amounts indicated. Mr. Clark seconded the motion, which passed unanimously.

19. Request(s) to Renew License (Criminal History)

A. *Recommended for Denial*

(1) *Griffin Jr, Thomas F044005*

Ms. Simon – Mr. Griffin is present here in the Pepper Bldg. today and has applied to renew his Funeral Director and Embalmer license (F044005). Mr. Griffin has stated that he answered “no” to the criminal history question in error, as explained in the enclosed email. The relevant criminal history is as follows:

- In March 2016, Mr. Griffin pled no contest to Driving While License Suspended/Revoked as a Habitual Offender. He was placed on two (2) years of probation, incarcerated for one day, and he was required to submit to ten days of Jail Work Camp. Mr. Griffin was also required to pay \$670 in fines and costs.
- In July 2016, Mr. Griffin pled no contest to Possession of Narcotic Paraphernalia. He was credited for two days of incarceration and received \$270 in fines and costs.
- It appears the Applicant violated his probation and an arrest warrant was issued. At the hearing on September 5, 2017, the Applicant admitted the Violation of Probation allegations. His probation was reinstated at this hearing.

The Division is recommending denial based upon the fact that it appears that the applicant is still on criminal probation. For the Board's edification, we received a reference letter yesterday regarding the applicant's overall character from a Chelsea M. Johnson Griffin, but we were unable to get it on the agenda.

Chair – Did the letter address his criminal past?

Ms. Simon – It did not.

Chair – Thank you. Mr. Griffin?

Mr. Thomas Griffin – Yes sir?

Chair – Would you like to address the Board?

Mr. Griffin – Well, the only thing I can say regarding my criminal past is just more or less, the driving while the license was suspended or revoked. The other charge regarding possession, I wasn't driving the vehicle.

Ms. Simon – Mr. Griffin, hold on for I second. I'd like to swear you in.

Mr. Griffin – Okay.

Ms. Simon – If you'd lift your right hand. Do you swear to tell the truth, the whole truth and nothing but the truth?

Mr. Griffin – I do.

Ms. Simon – Please continue, sir.

Mr. Griffin – In regards to the possession of paraphernalia, I wasn't driving the vehicle at the time period. I had a gentleman who had my truck earlier, who came to pick me up. Since it was my truck, when we were pulled over, they charged me for the possession since it was my vehicle. Other than that, the only thing I'm wrong for is driving while my license was suspended/revoked. Other than that, as for my character and when it comes to funeral service, I've been serving the community a long time in my family's business. I'd like to continue what I've been doing for years, in good faith of the Board.

Chair – Mr. Griffin?

Mr. Griffin – Yes?

Chair – How long is your probation now that there's a violation of probation allegation? How long is your probation?

Mr. Griffin – Now, to my knowledge, my probation should be up in April or May of next year.

Chair – And what are you currently doing for employment?

Mr. Griffin – Funeral service is the only job I have for employment.

Chair – Would you repeat that?

Mr. Griffin – Funeral service is the only job that I have for employment. I'm employed by Strong and Jones Funeral Home here in Tallahassee FL.

Chair – Thank you.

Mr. Helm – Mr. Chairman?

Chair – Mr. Helm?

Mr. Helm – Mr. Griffin, it says habitual offender. What are you a habitual offender of?

Mr. Griffin – That's while I'm driving. So basically, if you have charges during the time period you're behind the wheel, I think more than three (3) times, they label you as a habitual.

Mr. Helm – And what are those charges for?

Mr. Griffin – Driving while the license is suspended or revoked.

Mr. Helm – All the other ones were the same thing?

Mr. Griffin – The only other charge was for the possession charges. Like I said, with the possession charge, I was a passenger in the vehicle, but since it was my vehicle, they charged me for it.

Ms. Anderson – Mr. Chairman? This is Jean Anderson.

Chair – Yes, Ms. Anderson?

Ms. Anderson – Mr. Griffin, why was your license revoked in the first place?

Mr. Griffin – My driver's license?

Ms. Anderson – Yes.

Mr. Griffin – Well basically, during the time period that I was on probation, two (2) other incidents with driving occurred and so once you have three (3) it becomes habitual. That's when the license is suspended or revoked.

Ms. Anderson – Yes sir, I understand, but I was asking why your driver's license was revoked in the first place.

Mr. Griffin – Because of three (3) incidents behind the wheel.

Ms. Simon – If I may, Mr. Chairman?

Chair – Yes, please.

Ms. Simon – Okay. In the criminal court, Mr. Griffin is correct that three (3) times of driving while license is suspended, while each time is a misdemeanor, I believe the third time makes it a felony. That does not indicate why Mr. Griffin received his first driving while license is suspended, why his license was suspended in the first place and that does not address the violation of probation.

Mr. Griffin – When you're on probation and you get caught doing the same thing, they violate you and then they take you back to court and reassign the probation again. So it happened twice or three (3) times or more and that's why its revoked.

Ms. Anderson – Mr. Griffin, my question was the first time your license was revoked, what was the offense? Why was your license revoked?

Mr. Griffin – It was suspended initially. It's not revoked until...

Ms. Anderson – Suspended? All right then. Why was it suspended?

Mr. Griffin – Because I didn't complete my probation.

Ms. Anderson – Were you charged with driving under the influence or were you involved in a wreck? The very first time you got in trouble with your driver's license and the revoked it, what was the offense?

Mr. Griffin – I had a DUI prior to that.

Ms. Anderson – Okay.

Mr. Hall – Mr. Chair?

Chair – Mr. Hall?

Mr. Hall – Mr. Griffin, if you're a habitual offender and you don't pay attention to the laws of the State of Florida with your driver's license, why are we to believe that you would obey the rules of 497?

Mr. Griffin – Well, I have learned from my mistakes. Currently, as far as driving, I have not been driving over the last couple of years. My wife has been driving me or my staff members or my family to make sure I get to my employment and even on my services I have a driver who drives me on my funerals. I'm trying to do the right thing and correct everything by making amends. I'm doing what needs to be done so I can get my license or a hardship license.

Mr. Clark – Mr. Chairman, this is Andrew Clark.

Chair – Mr. Clark?

Mr. Clark – I just have a quick question so that I understand. Regarding the incident of July 2016, it states on page 16 that there were two (2) counts that Mr. Griffin was charged for: possession of cocaine; and possession of paraphernalia. It appears on the coversheet that he pleaded no contest to the paraphernalia. What happened to Count 1? I'm just curious if Mr. Griffin can explain if Count I, Possession of Cocaine, if he plead no contest to that charge as well or was that charge dropped.

Mr. Griffin – That charge was dropped. Basically, I was in my vehicle. Someone else was driving. When we got pulled over, he fled the scene, so since it was my vehicle, they charged with both but when I went to court they dropped the cocaine charge and kept the paraphernalia charge.

Mr. Clark – Thank you, Mr. Griffin.

MOTION: The Chair moved to deny the application based upon the fact that it appears that the applicant is still on criminal probation. Mr. Hall seconded the motion, which passed unanimously.

20. **Executive Director's Report**

A. *Projected Board Meeting Schedule 2018 – 2020*

Ms. Simon – Our Division Director, Ms. Schwantes?

Ms. Mary Schwantes – Yes, good morning. Thank you, Ms. Simon. We reviewed the Board meeting calendar with the goal of expanding the meeting locations. We will closely time them with industry events or interest.

2018 Board Meeting Schedule

January	February	March	April
Thursday, January 04, 2018 Conference Call	Thursday, February 01, 2018 Orlando, FL	Thursday, March 01, 2018 Conference Call	Thursday, April 05, 2018 Panama City Beach, FL
May	June	July	August
Thursday, May 03, 2018 Conference Call	TBA IFDF Annual Conference Saddlebrook Golf Resort Wesley Chapel, FL - TAMPA	Thursday, July 12, 2018 Conference Call	Thursday, August 02, 2018 Tallahassee, FL
September	October	November	December
Thursday, September 06, 2018 Conference Call	Thursday, October 04, 2018 Miami, FL Miami-Dade College TENTATIVE	Thursday, November 01, 2018 Conference Call	Thursday, December 06, 2018 Jacksonville, FL

2019 Board Meeting Schedule (Tentative)

January	February	March	April
Thursday, January 03, 2019 Conference Call	Thursday, February 07, 2019 Orlando, FL	Thursday, March 07, 2019 Conference Call	Thursday, April 04, 2019 Tampa, FL
May	June	July	August
Thursday, May 02, 2019 Conference Call	TBA FMA Annual Conference	Thursday, July 11, 2019 Conference Call	Thursday, August 01, 2019 Tallahassee, FL
September	October	November	December
Thursday, September 05, 2019 Conference Call	Thursday, October 03, 2019 St. Petersburg, FL St. Petersburg College TENTATIVE	Thursday, November 07, 2019 Conference Call	Thursday, December 05, 2019 Jacksonville, FL

2020 Board Meeting Schedule (Tentative)

January	February	March	April
Thursday, January 02, 2020 Conference Call	Thursday, February 06, 2020 Orlando, FL	Thursday, March 05, 2020 Conference Call	Thursday, April 02, 2020 Tampa, FL
May	June	July	August
Thursday, May 07, 2020 Conference Call	TBA FCCFA Annual Conference	Thursday, July 09, 2020 Conference Call	Thursday, August 06, 2020 Tallahassee, FL
September	October	November	December
Thursday, September 03, 2020 Conference Call	Thursday, October 01, 2020 Jacksonville, FL Florida State College at Jacksonville TENTATIVE	Thursday, November 05, 2020 Conference Call	Thursday, December 03, 2020 Ft. Lauderdale, FL

In developing the proposed calendar, we had four (4) scheduling objectives:

- The June meeting would be held in conjunction with the annual meeting of one (1) of Florida’s associations, rotating between the associations over the three (3) year period

- One meeting per year would be held at/hosted by one (1) of Florida's mortuary schools, rotating between the three (3) schools over the three (3) year period (Two of the three schools have already confirmed interest in hosting the meeting on the dates indicated on the proposed calendar. We await the third confirmation but expect it soon)
- One meeting per year would be held at each of the four (4) key cities: Tampa, Orlando, Tallahassee, Jacksonville
- Alternate locations would be selected for the other meeting, with a meeting in Florida's panhandle at least once every three (3) years, beginning in Panama City or Panama City Beach in April 2018

As always, meeting dates, times and locations may be subject to change due to unexpected natural events, such as hurricanes and or hotel availability. As an example of that, we're already noticing that there is some potential difficulty in scheduling the meeting in Orlando and Panama City Beach for the 2018 year due to the fact that that is Spring Break and their high season, etc., so we will continue to work on that. We just wanted to go ahead and get started. So with the Board's approval, this is the schedule for which the Division would like to plan. Do we have any questions on the schedule?

Mr. Jones – I like the schedule. This is Mr. Jones.

Ms. Schwantes – Thank you, Mr. Jones. Mr. Chair, if there are no more questions, at this time, I believe it would be appropriate for the Board to vote on the proposed meeting schedule. The Board would need to approve the 2018 schedule and tentatively approve the 2019 and 2020 schedules, subject to confirmation by the Board as we get closer to those dates.

MOTION: Mr. Hall moved to approve the 2018 schedule and tentatively approve the 2019 and 2020 schedules, subject to confirmation by the Board as we get closer to those dates. Mr. Jones seconded the motion, which passed unanimously.

Ms. Schwantes – Thank you very much. We will continue to work on confirming meeting times, locations, etc. and get that information to you as soon as possible, particularly regarding the 2018 schedule.

Chair – Thank you.

B. Operational Report (Verbal)

Ms. Schwantes – My Operation Report for this month is very, very short. We are still waiting for direction from the Governor's Office as to the new Board member appointments. We hope to hear something before the December meeting, but again that is solely dependent on the Governor's schedule and other priorities. The only other item to report is that the next Board Rules Committee meeting will take place in Tallahassee on November 9th, 10a – 3p, and the documentation that will be reviewed for that meeting has already been prepared and submitted to the Committee Members and to others who have expressed interest. That concludes the Operational Report and thank you very much. Ms. Simon?

C. Report: Payment of Disciplinary Fines and Costs (Informational)

Ms. Simon – This item is informational only. Are there any questions?

Monthly Report of Fines and Costs Assessed and Paid
 Division of Funeral, Cemetery and Consumer Services
 November 2, 2017 Board Meeting
 Date of Report: October 24, 2017

Licensee	Board Meeting	Case No.	Total Fine & Cost Due	Date Due	Paid in Full?	Comments
George E. Hewell & Son Funeral Home, Inc.	Oct-17	210017-17-FC	\$1,750	17-Nov-17	D	
Kotrady-Hudgins Funeral Services, LLC d/b/a St	Oct-17	210062-17-FC	\$1,750	17-Nov-17	D	
Fred Hunter Memorial Services, Inc.	3-Aug-17	206109-17-FC	\$1,000	9-Sep-17	Paid in Full on 8/15/2017	
Gregory Dunphy	Dec-16	196606-16-F	\$2,500	Monthly payments of \$208.37	Paid in Full	
Jeannette Royal	Jun-16	164613-14-FC	\$5,000	12-Jan-16	Note A	
A. When payment in full becomes past due, the FCCS Division works with the DFS Legal Division to enforce payment. B. Once fines and costs are paid in full, licensee kept on this report 3 months, showing Paid in Full, and then dropped off report; also licensee dropped off report after disciplinary action filed due to nonpayment of the fine and costs. C. The Order re this case is still in process, so no Due date is not yet established. D. Due date has not passed, as of the date of this report. E. As of the date of this report, monthly payments were current.						

21. Chairman's Report (Verbal)

Chair – I'd like to recognize Vanessa Oliver for continuing to participate. We really appreciate her participation. I know that she had to leave the call, but we do appreciate Vanessa continuing to serve. That's all I have.

22. Office of Attorney General's Report (Action)
A. Rules Report (Informational)

Chair – Mr. Barnhart?

Mr. Tom Barnhart – Good morning. Board Members, you see down at the bottom of the report, 69K-21.003, the seven (7) day letter has been sent to JAPC this week. Next week, if there's no further feedback from JAPC, the adoption date for that rule should be right around November 7th and then the effective date would be approximately twenty (20) days after that. So, around November 27th, if everything goes well with JAPC, the effective date of that rule will take place at that time. And then just below that, 69K-33.001, {inaudible} the other rule, the notice of the language was published on October 18th. So very shortly we will send a seven (7) day letter to JAPC. The purpose of the seven (7) day letter is to give them notice that we intend to adopt a rule and if they have any objections or questions they can raise them at that time. So if they do not do that then this rule will be following closely behind 69K-21.003 to be effective probably in December. Do you have any questions about the Rules Report?

Chair – Thank you for that.

Mr. Barnhart – You're welcome.

Chair – Anything else to report?

Mr. Barnhart – That's it for me.

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
69K-30.001*	Disciplinary Guidelines and Penalties for Funeral Directors and Establishments, Embalmers, Removal Refrigeration Services, Direct Disposers and Establishments, and Cinerator Facilities		03/24/2017 (RD)	04/14/2017			
69K-30.0021*	Minor Violations and Notice of Noncompliance for Funeral Directors and Establishments, Embalmers, Removal Services, Refrigeration Services, Direct Disposers and Establishments, and Cinerator Facilities		03/24/2017 (RD)	04/14/2017			
69K-30.003*	Citations for Funeral Directors and Establishments, Embalmers, Removal Services, Refrigeration Services, Direct Disposers and Establishments, and Cinerator Facilities (30.003)		03/24/2017 (RD)	04/14/2017			
69K-21.003	Inspection Criteria (Funeral Establishments).	09/07/2017	05/13/2017 (RD) 09/18/2017 (RN)	05/23/2017	09/26/2017 – Vol. 43/186		
69K-33.001	Requirements Regarding Handling and Storing of Human Remains	10/05/2017	09/07/2017 (RD)	09/19/2017	10/18/2017 – Vol. 43/202		

*Note: Rule Development for 69K-30.001, .0021 and .003 noticed together; however, each proposed rule can be amended separately if needed

*Note: Workshop on 69K-30.001, .0021 and .003 held June 6, 2017

*Note: Rules Committee Meetings on 69K-30 held June 28, 2017 and August 18, 2017

24. Upcoming Meeting(s)

- A. **November 9th Rules Committee** (Auditor General's Classroom, Claude Denson Pepper Building, Room G-01) (Tallahassee)
- B. December 7th (Tallahassee)

25. Adjournment

Chair – Board members? Anything for the good of the cause? Any good news? Again, appreciate everybody. Staff, really appreciate your hardwork, also.

Unidentified speaker – Hello?

Chair – Yes?

Mr. Chephus Granberry – This is Chephus Granberry (F027786). The Rules Committee meeting that's held on November 9th, I think I just heard someone – say that the information to be discussed has already been distributed. Can you tell me where that is located?

Chair – Ms. Simon or Ms. Schwantes?

Ms. Simon – Sir, if you would send me an email I would be happy to respond. My email address is ellen.simon@myfloridacfo.com.

Mr. Granberry – Thank you so much.

The meeting was adjourned at 10:43 a.m.