

MINUTES
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES
TELECONFERENCE MEETING
September 5, 2013 - 10:00 A.M.
(850) 413-1558 - Conference ID: 5592450
Department of Financial Services
111 W Madison St, Pepper Bldg #320
Tallahassee FL 32399

1. Call to Order, Preliminary Remarks and Roll Call

Mr. Jody Brandenburg, Chair, called the meeting to order at 10:00 am.

Mr. Doug Shropshire, Director, requested to make the usual prefatory comments for the record and then take the roll.

As a preliminary matter, let me state for the record that my name is Doug Shropshire. I am Director of the Division of Funeral, Cemetery, and Consumer Services. Today is Thursday, September 5, 2013. The time is approximately 10:00am. This is a public meeting of the Board of Funeral, Cemetery and Consumer Services. Notice of this meeting has been duly published in the Florida Administrative Register. An agenda for this meeting had been made available to interested persons. The meeting is occurring by Teleconference with some members of the Public here with the Division staff here in the Pepper Building, in Tallahassee, Florida. The call in number has also been made available to the public. Members of the Board are participating by phone. My Assistant, Ms LaTonya Bryant, will take minutes of the meeting, which is being recorded.

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. All persons participating by phone, other than the Chair and Board members while speaking, are asked to place their phones on mute at all times while listening. I repeat, please place your phones on mute at all times while listening. We ask this to enhance the audio quality of the Teleconference. If any Member or participant is disconnected they can call back to the same number called initially. Participants are respectfully reminded of the necessary protocol that only one person may speak at the time.

At this time I will take the roll and Board members will please respond clearly with "present" when I call their name:

PRESENT (via phone):

Joseph "Jody" Brandenburg, Chairman

Gail Thomas-DeWitt, Vice-Chairman

Jean Anderson

Andrew Clark

Lewis "Lew" Hall

Powell Helm
Nancy Hubbell
Ken Jones

ABSENT:

Richard "Dick" Mueller
Col. Don Stiegman

Mr. Chairman we have a quorum and the Board may proceed to address the matters on the agenda.

Also noted as present:

Doug Shropshire, Executive Director
Clark Jennings, Board Legal Advisor (via phone)
Anthony Miller, Assistant Director
LaTonya Bryant, Department Staff
Jasmin Richardson, Department Staff

2. Action on the Minutes

A. August 1, 2013

The Chair confirmed that all Board members had read the draft of the minutes of the previous Board meetings held on August 1, 2013.

MOTION: Ms. Jean Anderson moved to adopt the minutes of the meeting. Mr. Powell Helm seconded the motion, which passed unanimously.

3. Application(s) for Preneed Sales Agent

A. Informational Item (Licenses Issued without Conditions) – Addendum A

The application(s) presented are clean and have been approved by the Division. This item is informational only and does not require Board action.

B. Recommended for Approval with Conditions

(1) Amen, Anissa (Appointing Entity: Neptune Management Corp)

On June 24, 2013, the Department received an application from Ms. Amen. Ms. Amen answered "Yes" to Applicant Background Questions. During the review of his fingerprint results provided by FDLE it was confirmed, Ms. Amen did have one criminal infraction that required disclosing.

The criminal history includes (1) offense relating to one incident of Driving While Intoxicated, for which she was convicted in 2012, which occurred in Oakland County, Michigan. Upon request Ms. Amen disclosed all required information.

The Department assessment is that if issued a preneed sales agent license, Ms. Amen would not pose an unreasonable risk to the members of the public who might deal with her in preneed transactions.

The Division moved to approve the application subject to the terms & conditions of the stipulation with the condition that the Licensee be placed on 12 full months of probation.

MOTION: Ms. Gail Thomas-Dewitt moved to approve the application subject to the terms & conditions of the stipulation with the condition that the Licensee be placed on 12 full months of probation. Mr. Andrew Clark seconded the motion, which passed unanimously.

4. Application(s) for Continuing Education Course

A. Recommended for Approval without Conditions – Addendum B

- (1) American Academy McAllister Institute of Funeral Service (9808)*
- (2) Apex Continuing Education Solutions (4201)*
- (3) Didasko Communications, LLC (15808)*
- (4) Education Workers Group (11208)*
- (5) Florida Cemetery, Cremation & Funeral Association (75)*
- (6) International Cemetery & Funeral Association (74)*
- (7) International Order of the Golden Rule (2201)*
- (8) National Funeral Directors Association (136)*
- (9) New Jersey Funeral Service Education Corp (7002)*
- (10) Practicum Strategies (65)*
- (11) The Dodge Institute for Advanced Mortuary Stu (81)*

The majority of the Continuing Education Committee and the Division recommends approval of the application(s) for the number of hours indicated on Addendum B in the right hand corner.

MOTION: Ms. Nancy Hubbell moved to approve the application(s). Mr. Lew Hall seconded the motion, which passed unanimously.

5. Application(s) for Florida Law and Rules Examination

A. Informational Item (Licenses Issued without Conditions) – Addendum C

- (1) Funeral Director and Embalmer – Endorsement*
 - (a) Koster, Amy M*
- (2) Funeral Director and Embalmer – by Internship and Exam*
 - (a) Dorleans, Rauzette*
 - (b) Gosier, Glen*

The application(s) presented are clean with no indication of a criminal or disciplinary history and have been approved by the Division pursuant to delegation by the Board. This item is informational only and does not require Board action.

6. Application(s) for Internship

A. Informational Item (Licenses Issued without Conditions) – Addendum D

- (1) *Funeral Director and Embalmer*
 - (a) *Brown, Johnny M (F075619)*
 - (b) *Harrison, William H (F051193)*
 - (c) *Moore Jr, Paul G (F075766)*
 - (d) *Strong, Kevin A (F075752)*

The application(s) presented are clean with no indication of a criminal or disciplinary history and have been approved by the Division pursuant to delegation by the Board. This item is informational only and does not require Board action.

7. Application(s) for Embalmer Apprenticeship

A. Informational Item (Licenses Issued without Conditions) – Addendum E

- (1) *Bright, Chadwick J (F075266)*
- (2) *Brown, Alexander R (F075265)*
- (3) *Hopper, Kellie E (F075418)*
- (4) *Lambert, Janette S (F075641)*
- (5) *Reynolds, Matthew D (F075360)*
- (6) *Schaefer, Andrew J (F075452)*
- (7) *Wilson, Laura E (F075451)*

The application(s) presented are clean with no indication of a criminal or disciplinary history and have been approved by the Division pursuant to delegation by the Board. This item is informational only and does not require Board action.

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

A. Informational Item (Licenses issued without Conditions) – Addendum F

- (1) *Funeral Directing and Embalming*
 - (a) *Landmark Funeral Home Inc (F071616) (Hollywood)*
 - (b) *Savino-Weissman Funeral Home & Cremation Services LLC (F062368) (Margate)*

The application(s) presented are clean with no indication of a criminal or disciplinary history and have been approved by the Division pursuant to delegation by the Board. This item is informational only and does not require Board action.

9. Consumer Protection Trust Fund Claims

A. Recommended for Approval without Conditions – Addendum G

The Division recommends approval of the claim(s) for the amount indicated on Addendum G entitled “Amount Recommended.”

MOTION: Mr. Hall moved to approve the claim(s) for the amount indicated on Addendum G entitled “Amount Recommended.” Ms. Thomas-Dewitt seconded the motion, which passed unanimously.

10. Notification(s) of Change of Location

- A. Informational Item (Licenses Issued without Conditions) – Addendum H*
(1) Abundant Favor Mortuary Inc (F062035) (Bradenton)
(2) Coastal Cremations Inc (F059377) (Zephyrhills)
(3) Tranquility Funeral Homes & Crematorium Inc (F070404) (Opa Locka)

This item is informational only and does not require Board action.

11. Application(s) for Monument Establishment Sales Agent

- A. Informational Item (Licenses Issued without Conditions) – Addendum I*

The application(s) presented are clean and have been approved by the Division. This item is informational only and does not require Board action.

12. Application(s) for Preneed Branch License

- A. Recommended for Approval without Conditions – Addendum J*

The Division recommends approval of the application(s).

MOTION: Mr. Clark moved to approve the application(s). Ms. Anderson seconded the motion, which passed unanimously.

13. Application(s) for Cinerator Facility

- A. Recommended for Approval with Conditions*
(1) Crevasse's Simple Cremation Inc d/b/a Gainesville Regency Crematory (Gainesville)

An application for a Cinerator Facility was received on June 24, 2013. The application was incomplete when submitted. All deficient items were returned on July 19, 2013. The fingerprint cards for all principals were returned with no criminal history. The Funeral Director in Charge will be Julie Bishop (F045156).

The cinerator facility is recommended for approval subject to the condition that the establishment passes an on-site inspection by a member of Division Staff.

Mr. Shropshire added that the Applicant's representatives, Julie Bishop and Beau Crevasse, have taken the trouble to attend the meeting in person as they were unaware that the Board members are not present for teleconference meetings.

MOTION: Mr. Ken Jones moved to approve the application subject to the condition that the establishment passes an on-site inspection by a member of Division Staff. Mr. Powell Helm seconded the motion, which passed unanimously.

14. Application(s) for Direct Disposal Establishment

- A. Recommended for Approval with Conditions*

(1) Crevasse's Simple Cremation Inc (Gainesville)

An application for a Direct Disposal Establishment was received on June 24, 2013. The application was incomplete when submitted. All deficient items were returned on July 19, 2013. The fingerprint cards for all principals were returned with no criminal history. The Funeral Director in Charge will be Julie Bishop (F045156).

The direct disposal establishment is recommended for approval subject to the condition that the establishment passes an on-site inspection by a member of Division Staff.

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

(2) Hooper Funeral Homes Inc d/b/a Cremation Center of the Nature Coast (Crystal River)

An application for a Direct Disposal Establishment was received on May 30, 2013. The application was incomplete when submitted. All deficient items were returned on August 13, 2013. The fingerprint cards for all principals were returned with no criminal history. The Funeral Director in Charge will be Brian Ledsome (F034000).

The direct disposal establishment is recommended for approval subject to the condition that the establishment passes an on-site inspection by a member of Division Staff.

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

15. Application(s) for Funeral Establishment

A. Recommended for Approval with Conditions

(1) Benboe Funeral Home (Pensacola)

The application for a Funeral Establishment was received on July 5, 2013. The application was incomplete when submitted. All deficiency items were returned on August 9, 2013. The fingerprint cards for all principals were returned with no criminal history. The Funeral Director in Charge will be Dennis Trahan (F043632). This funeral establishment is not the qualifying entity of a preneed license.

The Division is recommending approval subject to the condition(s) as follows:

- 1) That the closing on the transaction occur within 60 days of the date of this Board meeting.
- 2) Receipt by the Division within 75 days of this Board meeting, of a letter signed by Applicant or Applicant's attorney, addressed to the Division, certifying that closing has occurred.
- 3) Receipt by the Division within 75 days of this Board meeting, of a copy of the Bill of Sale, executed by all parties, and any and all amendments thereto, also fully executed.
- 4) That the establishment passes an on-site inspection by a member of Division Staff.

MOTION: Ms. Thomas-Dewitt moved to approve the application subject to the conditions recommended by the Division. Ms. Hubbell seconded the motion, which passed unanimously.

(2) Heritage Funeral & Cremation Service LLC (Bunnell)

An application for a Funeral Establishment was received on August 6, 2013. The application was complete when submitted. The fingerprint cards for all principals were returned with no criminal history. The Funeral Director in Charge will be Jody Zeese (F052374).

The location is currently licensed as a Direct Disposal Establishment, license number F072747 and wishes to become a funeral establishment.

The Division is recommending approval subject to the condition(s) as follows:

- 1) That the Direct Disposal License, F072747, be relinquished to the Division.
- 2) That the establishment passes an on-site inspection by a member of Division Staff.

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

(3) Milton Funeral Home LLC (Dade City)

The application for a Funeral Establishment was received on July 8, 2013. The application was incomplete when submitted. All deficiency items were returned on July 24, 2013. The fingerprint cards for all principals were returned with no criminal history. The Funeral Director in Charge will be Rosandrea McClendon (F038649). This funeral establishment is not the qualifying entity of a preneed license. The current owner listed, Mr. Sherman Milton, is deceased and is being acquired by his daughter, Ms. Rosandrea McClendon.

The Division is recommending approval subject to the condition that the establishment passes an on-site inspection by a member of Division Staff.

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

(4) Nature Coast Services LLC d/b/a Joe P Burns Funeral Home (Madison)

An application for a Funeral Establishment was received on August 9, 2013. The application was complete when submitted. The fingerprint cards for all principals were returned with no criminal history. The Funeral Director in Charge will be Mark Kalinowski (F043781).

The Division is recommending approval subject to the condition that the establishment passes an on-site inspection by a member of Division Staff.

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

Mr. Helm questioned whether this is a new funeral home.

Mr. Shropshire responded that Nature Coast is a new facility.

(5) Scrivens Johnson Mortuary Service LLC (Tampa)

An application for a Funeral Establishment was received on July 26, 2013. The application was complete when submitted. The fingerprint cards for all principals were returned with no criminal history. The Funeral Director in Charge will be Willie Lucas (F045298).

The location is currently licensed as a Direct Disposal Establishment, license number F067313 and wishes to become a funeral establishment.

The Division is recommending approval subject to the condition(s) as follows:

- 1) That the Direct Disposal License, F067313, be relinquished to the Division.
- 2) That the establishment passes an on-site inspection by a member of Division Staff.

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

(6) Unity Memorial Funeral Home Corp (Apopka)

An application for a Funeral Establishment was received on June 24, 2013. The application was incomplete when submitted. All deficient items were returned on August 6, 2013. The fingerprint cards for all principals were returned with no criminal history. The Funeral Director in Charge will be Debra Floyd (F046920).

The Division is recommending approval subject to the condition that the establishment passes an on-site inspection by a member of Division Staff.

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

16. Application(s) for Monument Establishment Builder

A. Recommended for Approval with Conditions

(1) Monalisa Monument Co (Tampa)

The application was received on August 9, 2013 and deficiencies were noted. A deficiency letter was sent on August 16, 2013 and the application was complete of August 19, 2013. this application is being

filed by Applicant's sole principal and owner, Teryl Aikens, for a change in licensure from a monument establishment retailer to a monument establishment builder. Applicant has been licensed as a monument establishment retailer (License # F037610) since February 2004, and the license is current with no noted problems. The Department completed a background check of officers which revealed no criminal history. If this application is approved, Applicant will continue to utilize the attached monument retail sales agreement approved by the Board on August 8, 2007, and operate under the same name, Monalisa Monument Co and existing license number (F037610).

The Division is recommending approval subject to the condition that the establishment passes an on-site inspection by a member of Division Staff.

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

17. Executive Director's Report

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

Monthly Report of Fine and Costs Assessed and Paid
 Division of Funeral, Cemetery and Consumer Services
 September 5, 2013 Board Meeting
 Report Updated as of August 27, 2013

Licenses	Board Meeting	Case No.	Total Fine & Cost Due	Date Due	Paid in Full?	Comments
Stanley Gunter-Butler	Jun-12	117958-11-FC	\$2,750	8/20/2012	NO; See Note A	Monthly payments are in arrears. Licensee failed to make March through July payments in full. Partial payments of \$100 each were rec'd on 5/6/13 and 5/14/13, respectively. The remaining balance to pay in full is \$1,500. The Notice of Intent to enter Emergency Order of Suspension was issued against the licensee on 8/27/13 for failure to make the required payments; DFS Case No. 136325-13-FC.
Cemetery Professionals, LLC dba Beches Memorial Gardens and Cemetery Professionals, LLC dba Boches Memorial Park	Jun-12	110156-10-FC & 110157-10-FC	\$5,250 \$5,000 \$8,859.57	9/6/2012 12/7/2012 35 mo pymts	YES YES See Note E	Monthly restitution payments are current.
New Serenity Memorial Funeral Home & Cremation Services	Dec-12	126168-12-FC	\$1,500	4/15/2013 5/15/2013 6/15/2013	Yes Yes Yes	Payment in full rec'd 8/9/13, after file was submitted to Legal.
Golden's Funeral Home, Inc.	Jun-13	122935-12-FC	\$4,000	10/8/2013	Yes	Payment in full rec'd 7/5/2013, after file was submitted to Legal.
Dove Funeral Home:	Jun-13	114224-11-FC & 114213-11-FC	\$1,000	8/9/2013	Yes	
Lynn Arruda	Jun-13	114245-11-FC & 114211-11-FC	\$1,000	8/9/2013	Yes	
Gary Daughtery	Jun-13	114222-11-FC & 114212-11-FC	\$1,000	8/9/2013	Yes	

Alliance Monument & Marble Co, Inc.	Apr-13	129485-12-FC	\$1,000	9/2/2013	See Note D	Licensee currently suspended, based on Emergency Order of Suspension issued 11/8/12 for failure to pay fine & costs in previous and separate administrative action taken against licensee in Case No. 128348-12-FC.
Flagler Palms Cemetery LLC dba Flagler Memorial Gardens	Aug-13	133741-13-FC	\$2,750	9/9/2013	See Note D	
Global Mortuary	Aug-13	122746-11-FC	\$800 \$7,200	9/19/2012 9 mo pymts	See Note D See Note D	After the initial \$800 payment, monthly payments due the 15th of each month. Within 6 months of the board order, licensee must reimburse the CPTF and also reimburse the preneed trust account, for the amounts as determined by the Division.
<p>A. When payment in full becomes past due, the FCCS Division works with the DFS Legal Division to enforce payment.</p> <p>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.</p> <p>C. The Order re this case is still in process, so no Due date is yet established.</p> <p>D. Due date has not passed, as of the date of this report.</p> <p>E. As of the date of this report, monthly payments were current.</p>						

*CPM Sept 13, 2013
DOR Sept 13, 2013*

Mr. Shropshire stated that the Chair has asked that he provide brief report on the status of the Board member vacancies and the application process. I did send out an email on that topic yesterday to all Board members and Industry members. The Division has not yet forwarded the applications to the CFO's office, but expects to within 7 days. The delay had been because we were seeking some additional consumer member applications and we have in fact received several additional consumer applications. We are tying up some loose ends on some applications and expect to be forwarding all the applications to the CFO's office by the end of next week.

18. Adjournment

The meeting was adjourned at 10:22 a.m.