

FMINUTES
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES
TELECONFERENCE MEETING
July 12, 2012 - 10:00 A.M.

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, July 12, 2012. 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 Weekly. 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-Parker, 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 put 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
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
Allison Dudley, Board Legal Advisor (via phone)
Anthony Miller, Assistant Director

LaTonya Bryant-Parker, Department Staff
Jasmin Richardson, Department Staff
La, Department Staff

The Chair questioned whether all Board members received their packets. There were positive responses from all the Board members.

2. 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 without Conditions (Criminal History)

(1) Gangl, Bryan R (Appointing Entity: Daytona Memorial Park)

On June 21, 2012, the Department received an application from Mr. Gangl. Mr. Gangl answered “Yes” to Applicant Background Questions. During the review of his fingerprint results provided by FDLE it was confirmed, Mr. Gangl did have one criminal infraction that required disclosing.

The criminal history includes (1) offense relating to one incident of Driving While Under the Influence in 2010, which occurred in Scott County, Minnesota. Upon request Mr. Gangl disclosed all required information. The Department assessment is that if issued a preneed sales agent license, Mr. Gangl would not pose an unreasonable risk to the members of the public who might deal with him in preneed transactions.

Mr. Shropshire noted that there is mention in the materials provided to the Board that indicate the offense occurred in Florida, but that is an error as the offense occurred in Minnesota.

MOTION: Ms. Gail Thomas-Dewitt moved to approve the application. Mr. Lew Hall seconded the motion, which passed unanimously.

3. Application(s) for Continuing Education Course

A. Recommended for Approval without Conditions – Addendum B

- (1) Florida Cemetery, Cremation & Funeral Assoc (Provider #75)**
- (2) International Order of the Golden Rule (Provider #2201)**
- (3) National Funeral Directors Association (Provider #136)**
- (4) New Jersey Funeral Service Education Corp. (Provider #7002)**
- (5) Pinellas County Funeral Home Association (Provider #58)**
- (6) Practicum Strategies (Provider #65)**

Mr. Shropshire noted that the Agenda was in error as it listed five (5) entities, Elite CME, Inc, International Cemetery & Funeral Association and James H Justice are in error as they were previously approved for course credit and were erroneously included on this Agenda. However, Addendum B itself is correct in all regards.

The Continuing Education Committee and the Division recommends approval of the application(s).

MOTION: Mr. Hall moved to approve the application(s). Mr. Powell Helm seconded the motion, which passed unanimously.

4. Application(s) for Approval as a Continuing Education Provider
A. Recommended for Approval without Conditions – Addendum C
(1) 1st Allegiant Insurance LLC #16608

Mr. Shropshire noted that here again, unfortunately the Agenda is in error. The Agenda reflects that the Applicant is ISMPI, whereas in fact, the Applicant as shown on Addendum C is actually 1st Allegiant Insurance LLC. Addendum C is correct.

The Continuing Education Committee and the Division recommends approval of the application(s).

MOTION: Mr. Ken Jones moved to approve the application(s). Mr. Dick Mueller seconded the motion, which passed with 1 dissenting vote.

Col. Don Stiegman questioned why the recommendation for Providers is assigned to the course panel.

Mr. Shropshire quoted Rule 69K-17.0041:

“No Continuing Education Provider may offer continuing education courses or grant continuing education credit hours until it has received the Board’s approval.”

The Providers must come before the Board and it has simple been thought expedient to have the Board’s Committee review the actual packages and make recommendation to the Board through the Division.

Co. Stiegman stated that the panel is indicated as a course review panel. That is like asking me to pass judgment on the Florida State University on the basis of sitting in on one English Lit course. The Provider should be vetted by the Department and then presented to the Board with the Department’s recommendation, not to the panel. Col. Stiegman stated that he does not have the time or the facilities to investigate the Providers, especially since some of them are from out of state.

Mr. Shropshire stated that Addendum C does state a recommendation: “The Committee and the FCCS Division recommend that these Applicants be approved as CE providers.” So, the Division does make a recommendation. Mr. Shropshire added that Col. Stiegman’s point is well taken that he cannot investigate the Applicants per say, but of course that is true concerning many and perhaps almost all of the Applicants that come before the Board for approval. Board Members do not know them personally and cannot go out and inspect their facilities or interview them. The Board just basically reviews the package presented. Board members that are Industry members may have some knowledge of the Applicant that can be applied through their business. If the Board wants to change the procedure and process, the Division has no objection. Ultimately, the applications have to come before the Board under the current Rule.

5. Application(s) for Florida Law and Rules Examination
A. Recommended for Approval without Conditions – Addendum D
(1) Direct Disposer
(a) Epstein, Keith

The Division recommends approval of the application(s).

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

6. Application(s) for Internship

- A. *Recommended for Approval without Conditions – Addendum E*
 - (1) *Funeral Director and Embalmer*
 - (a) *Fischer, Adam L*
 - (b) *Pitts, Jonathan E*
 - (c) *Trahan, Richard A*

The Division recommends approval of the application(s).

MOTION: Mr. Hall moved to approve the application(s). Mr. Jones seconded the motion, which passed unanimously.

- 7. **Application(s) for Embalmer Apprentice**
 - A. *Recommended for Approval without Conditions – Addendum F*
 - (1) *Blackmon, Tanesha S*
 - (2) *Giffin, Terry L*

The Division recommends approval of the application(s).

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

- 8. **Consumer Protection Trust Fund Claims**
 - A. *Recommended for Approval without Conditions – Addendum G*

The Division recommends approval of the claim(s).

MOTION: Ms. Nancy Hubbell moved to approve the claim(s). Ms. Anderson seconded the motion, which passed unanimously.

- 9. **Application(s) for Cinerator Facility**
 - A. *Recommended for Approval with Conditions*
 - (1) *Heath Funeral Chapel Inc d/b/a Polk County Crematory (Lakeland)*

The Cinerator Facility application was received by the Division on May 29, 2012. The application was incomplete when submitted. All deficient items were returned on June 15, 2012. The fingerprint cards for all principals were returned with no criminal history. The FDIC for the establishment will be William Schichtel (F042376). The Division is recommending approval subject to the condition(s) as follows:

- (1) That the closing 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 Applicant submits documentation of the fictitious name registration with the Department of State.
- (5) That the establishment passes an on-site inspection by a member of the Division staff.

MOTION: Mr. Mueller moved to approve the application subject to the condition(s) recommended by the Division staff. Mr. Hall seconded the motion, which passed unanimously.

10. Application(s) for Funeral Establishment
A. Recommended for Approval with Conditions
(1) Heath Funeral Chapel Inc (Lakeland)

The Funeral Establishment application was received by the Division on May 29, 2012. The application was incomplete when submitted. All deficient items were returned on June 15, 2012. The fingerprint cards for all principals were returned with no criminal history. The FDIC for the establishment will be William Schichtel (F042376). This entity is the qualifying entity for a preneed license. The preneed license name and number are: Heath Funeral Chapel Inc, F019316. The new owner does intend to sell preneed. The Applicant has submitted an application for the preneed license that will be presented at this meeting. The Division is recommending approval subject to the condition(s) as follows:

- (1) That the closing 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 the Division staff.

MOTION: Mr. Jones moved to approve the application subject to the condition(s) recommended by the Division staff. Mr. Hall seconded the motion, which passed unanimously.

11. Application(s) to Transfer a Preneed Main License
A. Recommended for Approval with Conditions
(1) Heath Funeral Chapel, Inc. (Lakeland)

The Department received the application on June 7, 2012 and deficiencies were noted on the application. A deficiency notice was sent to the Applicant on June 13, 2012, and all deficiencies were resolved as of June 25, 2012. This is an application for the transfer of a preneed license from Heath Funeral Chapel (F019316).

This application is being filed due to a change in ownership and change of the qualifying entity for the preneed license. The former qualifying entity was previously licensed as a funeral establishment under license number F040529. Applicant has submitted an application for a funeral establishment license, which is also being presented to the Board for approval at this meeting. The Applicant will continue to use the pre-approved Independent Funeral Directors of Florida (IFDF) Master Trust and pre-arranged funeral agreement and will also sell insurance-funded preneed through Homesteaders Life Company and to utilize its approved prearranged funeral agreement. A completed background check of all officers revealed no criminal history.

If this application is approved, all preneed contracts that were previously written under the preneed license, Heath Funeral Chapel (F019316), will then be transferred under the new preneed license operating under the same name. The Applicant's financial statements as of December 31, 2011 reflect the following:

Outstanding Preneed Contracts =	\$ 842,799
Required Net Worth =	\$ 100,000
Reported Net Worth =	\$ 394,035

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

- (1) That the Board also approves the application for the funeral establishment license that will be the qualifying entity for this preneed Licensee.

- (2) That closing occurs within 60 days of the date of this Board meeting, and without material change in the terms and conditions of the transaction as described to the Board in this cover sheet and the materials provided to the Board herewith.
- (3) 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 and without material change in the terms and conditions of the transaction as described to the Board in this cover sheet and the materials provided to the Board herewith.
- (4) 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.
- (5) That all preneed obligations of the preneed Licensee under its current controlling party shall continue as its obligations under its new controlling party.

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

12. Application(s) for Preneed Main License

A. Recommended for Approval without Conditions

(1) Oosco Funeral Homes, Inc. d/b/a Beth Shalom Memorial Chapel (Orlando)

The Department received the application on June 7, 2012 and deficiencies were noted on the application. A deficiency notice was sent to the Applicant on June 13, 2012, and all deficiencies were resolved as of June 25, 2012. A completed background check of all officers revealed no criminal history. Applicant will sell insurance funded preneed through the approved provider, Great Western Insurance Company, and utilize its pre-approved Standard Contract of Funeral Goods and Services. The qualifying direct disposal establishment license was issued on September 4, 2008.

The Applicant's financial statements as of December 31, 2012 reflect the following:

Acquired Preneed Contracts	= \$	0
Required Net Worth	= \$	10,000
Reported Net Worth	= \$	52,757

Mr. Hall questioned whether "Customer deposits (merchandise)" under Other Assets on the Balance Sheet is a part of the preneed contracts. Mr. Hall also questioned what "Inventory" of \$160k consisted of. There is a "Pre-need Trust Asset" of \$1, 146,919, but "Customer deposits (merchandise)" of \$547,087.

Ms. Hubbell stated questioned whether this had something to do with cash advances or anything else like that. The two numbers together just about total the preneed contracts.

Mr. Shropshire requested that the Applicant raise his right hand to be sworn in. "Do you swear the testimony you are about to give in this matter will be the truth, the whole truth and nothing but the truth so help you good?"

Mr. James Cardinal, one of the owners, answered, "I do." Mr. Cardinal stated that the total of the two items in question is all the money that is in the trust. Mr. Cardinal stated that he put a call in to the accountant to double check this. It appears the accountant broke out the merchandise, as that is all the money that was deposited because there is \$1.698 million in the trust. That is all customer deposits that were made in.

Mr. Shropshire questioned whether \$1.698 million is actually in the trust.

Mr. Cardinal concurred.

Mr. Hall stated that he just wanted to verify it was part of the preneed as he had never seen it identified that way. Mr. Hall requested that Mr. Cardinal identify the \$160k in "Inventory".

Mr. Cardinal stated that inventory includes everything at the facility.

The Chair questioned whether Mr. Cardinal feels comfortable that the reported net worth of \$128k actually reflects the net worth.

Mr. Cardinal answered, "Yes it does."

Mr. Shropshire stated that the Division renews its recommendation that the application be approved without conditions.

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

B. Recommended for Approval with Conditions
(1) Mullins Memorial Funeral Home and Cremation Service, LLC (Cape Coral)

The Department received the application on April 18, 2012 and deficiencies were noted on the application. A deficiency letter was sent to the Applicant on April 25, 2012 and the Applicant resolved all deficiencies as of July 3, 2012. A completed background check of all officers revealed no criminal history. Applicant will sell preneed through Funeral Services Inc (FSI) and use the pre-approved First Florida Trust Agreement (Sabal Trust Company) and pre-arranged funeral agreement. The Applicant obtained a funeral establishment license, approved by the Board on September 26, 2011.

The Applicant's financial statements as of May 31, 2012 reflect the following:

Acquired Preneed Contracts	= \$	0
Required Net Worth	= \$	10,000
Reported Net Worth	= \$	21,772

Documentation establishes that Shannon D. Mullins (a principal of Applicant herein), was discharged from Ch. 7 bankruptcy in January 2003, by the Federal District Court, Middle District of Florida. It was a personal bankruptcy action and discharge. Applicant provided a notarized statement disclosing the bankruptcy as supporting documentation.

In view of the bankruptcy, the FCCS Division requested additional materials from Applicant:

- (1) Court documentation evidencing that the bankruptcy was discharged.
- (2) A notarized statement of disclosure for officer, Shannon D. Mullins.
- (3) A letter of reference from a vendor or financial institution.

Applicant has provided all requested information and material. The letter of reference is favorable. Therefore, recommendation is for approval of the application with conditions based upon the attached Stipulation for Licensure where Applicant agrees to 100% trusting and 12-months (1 year) of probation.

The Division is recommending approval based upon the Stipulation for Licensure agreement entered into by the Division and the Applicant.

MOTION: Mr. Jones moved to approve the application subject to the conditions stated in the Stipulation for Licensure agreement entered into by the Division and the Applicant. Ms. Thomas-Dewitt seconded the motion, which passed unanimously.

13. Application(s) for Authority to Acquire Control of an Existing Cemetery Company

A. Recommended for Approval with Conditions

- (1) StoneMor Florida LLC d/b/a Daytona Memorial Park (Daytona) (F039666)**
- (2) StoneMor Florida LLC d/b/a Daytona Memorial Park North (Daytona) (F039665)**
- (3) StoneMor Florida LLC d/b/a Deland Memorial Gardens Inc. (Deland) (F039418)**
- (4) StoneMor Florida LLC d/b/a Edgewater-Smyrna Cemetery Inc (Edgewater) (F039662)**

StoneMor Florida, LLC has submitted Applications for Change of Control of four existing licensed cemeteries from the Lohman Group, to Stonemor. The cemetery companies being acquired are licensed as:

- (1) Edgewater-New Smyrna Cemetery Inc., located at: 700 S Ridgewood Ave, Edgewater, FL 32132, currently licensed under number F039662.
- (2) Daytona Memorial Park, located at: 1425 Bellevue Ave, Daytona Beach, FL 32114, currently licensed under number F039666.
- (3) Daytona Memorial Park North, located at: 1428 Bellevue Ave, Daytona Beach, FL 32114, currently licensed under number F039665.
- (4) Deland Memorial Gardens Inc., located at: 600 E Beresford Ave, Deland, FL 32724, currently licensed under number F039418.

The applications were received by the Division on June 14, 2012 and deficiencies were noted on the application. A deficiency letter was sent to the Applicant on June 21, 2012 and all items of deficiency were satisfied as of June 28, 2012. A completed background check of all officers revealed no criminal history.

The change of control as outlined by representing attorney, Wendy Wiener (please see attached letter of explanation by attorney Wiener, dated June 24, 2012) will be accomplished via an asset purchase agreement, by which Stonemor Florida LLC and StoneMor Florida Subsidiary LLC will acquire all of the assets and liabilities of the current ownership from the Lohman Family Group; Stonemor Florida Subsidiary LLC will assume all existing preneed liabilities related to the entities it is acquiring. The representations of said counsel are material to the Board's decision herein. If these Applications for a Change of Control are approved, the Applicants will operate under the parent name of StoneMor Florida LLC doing business under the currently listed cemetery names as noted above.

The care and maintenance trustee reports (Regions Bank) for CY 2010 are attached. The cemetery reports appear to be in line with the reported gross sales for CY 2011 for the listed properties being acquired.

The Applicant's financial statement as of June 25, 2012 reflects the following:

Required Net Worth	= \$	50,000
Reported Net Worth	= \$	100,000

Section 497.264(2)(f) provides as follows:

- (2) Any person or entity that seeks to purchase or otherwise acquire control of any cemetery licensed under this chapter shall first apply to the licensing authority and obtain approval of such purchase or change in control.
 - (f) The Applicant must have a net worth of \$50,000, as attested to by a sworn statement signed by the Applicant if a natural person, otherwise by all officers of the Applicant. Such net worth must be continually maintained as a condition of licensure of the cemetery if the application is approved.

The Division understands the intent of the quoted language to be that there must be a net worth of \$50,000 per cemetery. If so, the Applicant herein should have a minimum net worth of \$200,000 (\$50,000 for each of the four cemeteries). This appears to be a case of first impression. Current Division staff have no recollection of this issue arising before. The Applicant has agreed with that position and has deposited the additional \$100,000, so the net worth is in fact \$200,000

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

- (1) Applicant shall cause additional assets to be injected into Applicant to raise its net worth to \$200,000, and shall maintain said net worth, and shall provide the Division a revised balance sheet certified by Applicant's President, within 60 days of this Board meeting.
- (2) The Board approval of change of control does not include approval of any development plans. If after approval of the change in control the new controlling person intends to develop the cemetery, the new controlling person shall cause development plans to be submitted to the Board for approval prior to implementing same.
- (3) That closing occurs within 60 days of the date of this Board meeting, and without material change in the terms and conditions of the transaction as described to the Board in this cover sheet and the materials provided to the Board herewith.
- (4) 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 and without material change in the terms and conditions of the transaction as described to the Board in this cover sheet and the materials provided to the Board herewith.
- (5) Receipt by the Division within 75 days of this Board meeting, of a copy of the Stock Purchase Agreement, executed by all parties, and any and all amendments thereto, also fully executed.

MOTION: Mr. Mueller moved to approve the agreement with the conditions set forth by the Division. Mr. Hall seconded the motion, which passed unanimously.

14. Application(s) for Change of Ownership (Stonemor Florida Subsidiary LLC)

A. Recommended for Approval with Conditions

(1) Cinerator Facility

(a) Stonemor Florida Subsidiary LLC d/b/a Volusia Crematory (Daytona Beach)

(2) Direct Disposal Establishment(s)

(a) Stonemor Florida Subsidiary LLC d/b/a Atlantis Cremation (Daytona)

(3) Funeral Establishment(s)

(a) Stonemor Florida Subsidiary LLC d/b/a Baggett and Summers Funeral Home (Daytona Beach)

(b) Stonemor Florida Subsidiary LLC d/b/a Cardwell Funeral Home (Port Orange)

(c) Stonemor Florida Subsidiary LLC d/b/a Lohman Funeral Home Daytona (Daytona Beach)

(d) Stonemor Florida Subsidiary LLC d/b/a Lohman Funeral Home Deland (Deland)

(e) Stonemor Florida Subsidiary LLC d/b/a Lohman Funeral Home Deltona (Deltona)

(f) Stonemor Florida Subsidiary LLC d/b/a Lohman Funeral Home Ormond (Ormond Beach)

(g) Stonemor Florida Subsidiary LLC d/b/a Lohman Funeral Home Palm Coast (Palm Coast)

(h) Stonemor Florida Subsidiary LLC d/b/a Lohman Funeral Home Port Orange (Port Orange)

The enclosed packet of applications was received by the Division on June 14, 2012. The Applicant, Stonemor Florida Subsidiary LLC, is applying for change of ownership of ten chapter 497 establishments (1 cinerator; 1 DDE; and 8 FEs) (4 cemeteries are also being acquired but these are presented under a separate cover sheet herein).

The applications were accompanied by the attached letter from attorney Wendy Wiener, dated June 14, 2012, representing Stonemor, describing the transactions; Stonemor Florida Subsidiary LLC will assume all existing preneed liabilities related to the entities it is acquiring. The representations of said counsel are material to the Board's decision herein.

The applications were complete when submitted. The fingerprint cards for all principals were returned with no criminal history. The Division is recommending approval subject to the condition(s) as follows:

- (1) That the closing 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 each establishment passes an on-site inspection by a member of the Division staff.

MOTION: Ms. Thomas-Dewitt moved to approve the agreement with the conditions set forth by the Division. Mr. Hall seconded the motion, which passed unanimously.

(4) Training Agency

(a) Funeral Directing and Embalming

- 1) Stonemor Florida Subsidiary LLC dba Baggett and Summers Funeral Home (Daytona Bch)**
- 2) Stonemor Florida Subsidiary LLC d/b/a Lohman Funeral Home Ormond (Ormond Bch)**

Two of the FEs being acquired are currently approved as intern training facilities. Stonemor is submitting two Petitions for Waiver of rule requirement regarding number of cases done before an establishment may be approved as training facility. The Petitions in effect request that the cases done by the prior owner be counted for meeting the number of cases required for training facility status under the new owner. The Petitions advise that there will be no change in the FE professional staff, including the Supervising Licensee of the intern training program. The Board has approved this type of Petition in the past.

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

- (1) That the closing 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 each establishment passes an on-site inspection by a member of the 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 the Division staff. Mr. Clark seconded the motion, which passed unanimously.

15. Contract(s) or Other Related Form(s)

A. Recommended for Approval with Conditions

(1) Preneed Funeral Agreement

(a) StoneMor Florida Subsidiary LLC d/b/a Scott Funeral Home (Lake Placid) (F050433)

The Licensee, StoneMor Florida Subsidiary LLC d/b/a Scott Funeral Home (F050433), submits preneed funeral planning agreement for approval. If the form is approved, it is to be used for the sale of trust-funded preneed through licensed preneed establishments and branches.

The Division is recommending approval subject to the condition that the Department receives within 60 days two full-sized print-ready copies.

MOTION: Mr. Jones moved to approve the contract with the condition that the Department receives within 60 days two full-sized print-ready copies. Mr. Hall seconded the motion, which passed unanimously.

(2) *Preneed Funeral Agreement (Addendum)*

(a) *SCI Funeral Services of Florida, Inc (F019227) and WPalm, Inc (F019464) (Houston TX)*

The Licensee, SCI Funeral Services of Florida, Inc. (F019227) and WPalm, Inc. (F019464), submits a revised addendum to their preneed contract agreement forms for approval. The addendum has been revised due to a transition from paper contracts to electronic contracts for SCI funeral and cemetery preneed and at-need contracts (please see attached letter of explanation from SCI dated June 12, 2012). If the addendum form is approved, it is to be used for the sale of trust-funded preneed through licensed SCI affiliated preneed establishments and branches.

The Division is recommending approval subject to the condition that the Department receives within 60 days two full-sized print-ready copies.

The Chair disclosed his affiliation with SCI Funeral Services of Florida, Inc and stated that it would not affect his ability to remain fair and impartial on any of the items presented today.

MOTION: Mr. Mueller moved to approve the contract with the condition that the Department receives within 60 days two full-sized print-ready copies. Ms. Anderson seconded the motion, which passed unanimously.

The Chair questioned the date of the next meeting.

Ms. LaTonya Bryant-Parker responded that the next meeting will be held on August 2nd in Tampa.

16. *Adjournment*

The meeting was adjourned at 10:30 a.m.